

001

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

FORM 3

AMENDED REPORT ☐
(highlight changes)

APPLICATION FOR PERMIT TO DRILL			5. MINERAL LEASE NO: 14-20-H62-4778 (E&D)	6. SURFACE: INDIAN
1A. TYPE OF WORK: DRILL <input checked="" type="checkbox"/> REENTER <input type="checkbox"/> DEEPEN <input type="checkbox"/>			7. IF INDIAN, ALLOTTEE OR TRIBE NAME: UTE	
8. TYPE OF WELL: OIL <input checked="" type="checkbox"/> GAS <input type="checkbox"/> OTHER <input type="checkbox"/> SINGLE ZONE <input checked="" type="checkbox"/> MULTIPLE ZONE <input type="checkbox"/>			8. UNIT or CA AGREEMENT NAME:	
2. NAME OF OPERATOR: BERRY PETROLEUM COMPANY			9. WELL NAME and NUMBER: UTE TRIBAL 11-8-55	
3. ADDRESS OF OPERATOR: RT. 3 BOX 3020 CITY ROOSEVELT STATE UTAH ZIP 84066			PHONE NUMBER: (435)722-1325	
4. LOCATION OF WELL (FOOTAGES) AT SURFACE: 1945' FSL, 2031' FWL AT PROPOSED PRODUCING ZONE: SAME AS ABOVE			10. FIELD AND POOL, OR WILDCAT: Undiscovered W-B-CAT 11. QTR/QTR, SECTION, TOWNSHIP, RANGE, MERIDIAN: (NE/SW) SEC. 8, T.5S., R.5W. U.S.B.&M.	
14. DISTANCE IN MILES AND DIRECTION FROM NEAREST TOWN OR POST OFFICE: 34.5 MILES FROM MYTON, UTAH			12. COUNTY: DUCHESNE	
15. DISTANCE TO NEAREST PROPERTY OR LEASE LINE (FEET) 1945'			13. STATE: UTAH	
16. NUMBER OF ACRES IN LEASE: 640			17. NUMBER OF ACRES ASSIGNED TO THIS WELL: 40	
18. DISTANCE TO NEAREST WELL (DRILLING, COMPLETED, OR APPLIED FOR) ON THIS LEASE (FEET) N/A			20. BOND DESCRIPTION: RLB0005651	
21. ELEVATIONS (SHOW WHETHER DF, RT, GR, ETC.): 7154' GR			22. APPROXIMATE DATE WORK WILL START: REFER TO BPC SOP PLAN	
23. ESTIMATED DURATION: REFER TO BPC SOP PLAN				

24. PROPOSED CASING AND CEMENTING PROGRAM			
SIZE OF HOLE	CASING SIZE, GRADE, AND WEIGHT PER FOOT	SETTING DEPTH	CEMENT TYPE, QUANTITY, YIELD, AND SLURRY WEIGHT
REFER TO BERRY PETROLEUM COMPANY SOP'S DRILLING PROGRAM/CASING DESIGN			

25. ATTACHMENTS

VERIFY THE FOLLOWING ARE ATTACHED IN ACCORDANCE WITH THE UTAH OIL AND GAS CONSERVATION GENERAL RULES:

- ☒ WELL PLAT OR MAP PREPARED BY LICENSED SURVEYOR OR ENGINEER
☒ EVIDENCE OF DIVISION OF WATER RIGHTS APPROVAL FOR USE OF WATER

- ☒ COMPLETE DRILLING PLAN (BPC SOP ON FILE WITH STATE)
☐ FORM 5, IF OPERATOR IS PERSON OR COMPANY OTHER THAN THE LEASE OWNER

NAME (PLEASE PRINT) DEBBIE L. WISENER TITLE PRODUCTION & REGULATORY TECHNICIANSIGNATURE [Signature] DATE 11/18/04

(This space for State use only)

API NUMBER ASSIGNED: 43-013-32720

(11/2001)

Federal Approval of this
Action is Necessary

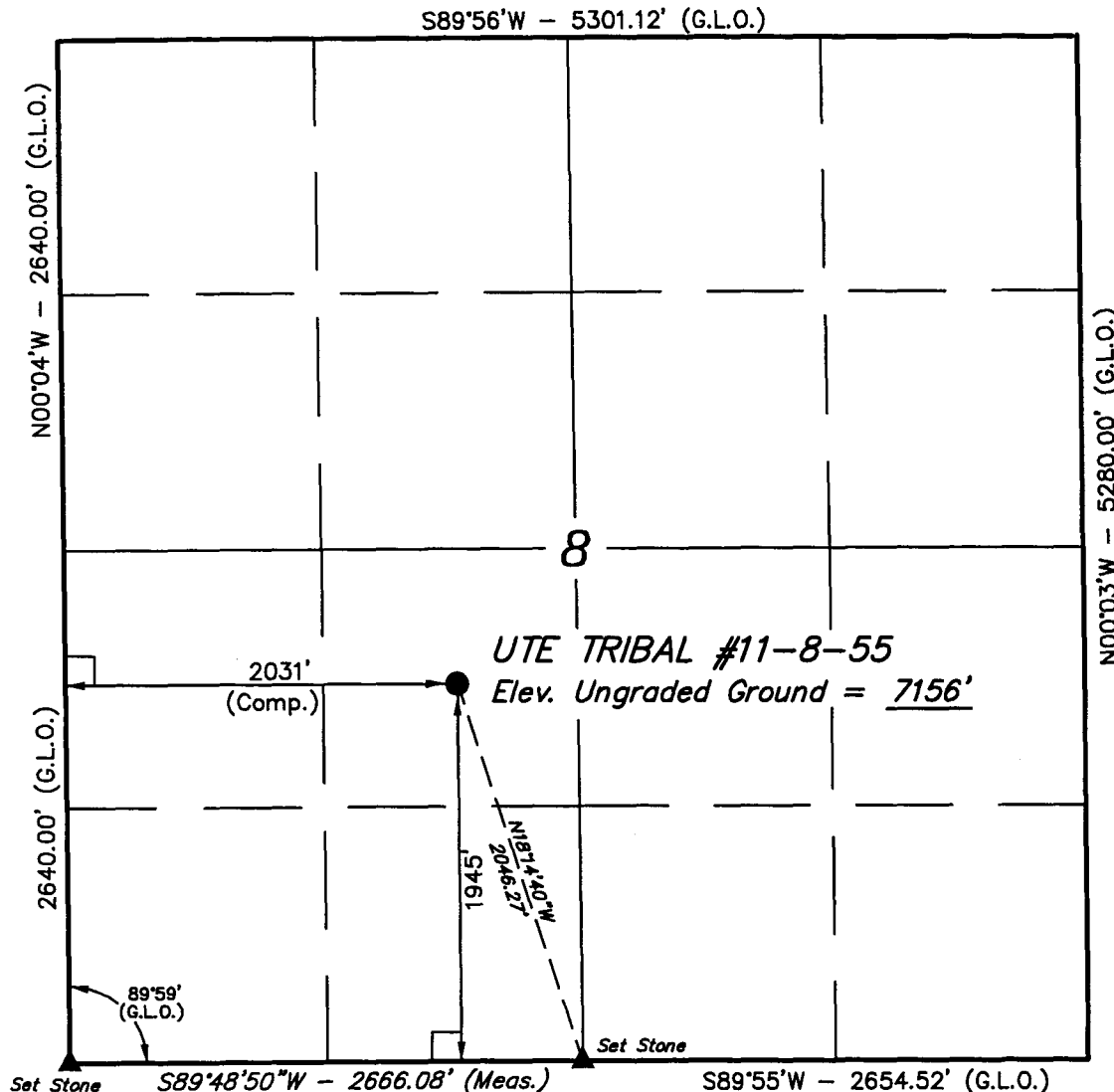
Approved by the
Utah Division of
Oil, Gas and Mining
Date: 12-02-04
By: [Signature]
DIV. OF OIL, GAS & MINING

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T5S, R5W, U.S.B.&M.

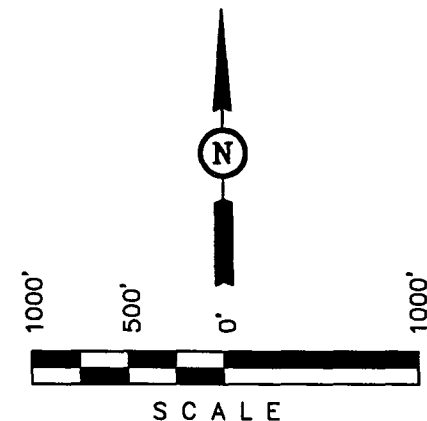
BERRY PETROLEUM COMPANY

Well location, UTE TRIBAL #11-8-55, located as shown in the NE 1/4 SW 1/4 of Section 8, T5S, R5W, U.S.B.&M. Duchesne County, Utah.



BASIS OF ELEVATION

BENCH MARK (M67) LOCATED IN THE SW 1/4 OF SECTION 9, T5S, R4W, U.S.B.&M. TAKEN FROM THE DUCHESNE SE QUADRANGLE, UTAH, DUCHESNE COUNTY, 7.5 MINUTE QUAD. (TOPOGRAPHIC MAP) PUBLISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GEOLOGICAL SURVEY. SAID ELEVATION IS MARKED ON CAP AS BEING 6097 FEET.



CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEYS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

REGISTERED LAND SURVEYOR
REGISTRATION NO. 161319
STATE OF UTAH

LEGEND:

- └─┘ = 90° SYMBOL
- = PROPOSED WELL HEAD.
- ▲ = SECTION CORNERS LOCATED.

BASIS OF BEARINGS

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.

(NAD 27)

LATITUDE = 40°03'32.71" (40.059086)

LONGITUDE = 110°28'21.54" (110.472650)

UINTAH ENGINEERING & LAND SURVEYING
85 SOUTH 200 EAST - VERNAL, UTAH 84078
(435) 789-1017

SCALE 1" = 1000'	DATE SURVEYED: 08-05-04	DATE DRAWN: 08-10-04
PARTY S.H. L.M. D.R.B.	REFERENCES G.L.O. PLAT	
WEATHER WARM	FILE BERRY PETROLEUM COMPANY	

SELF-CERTIFICATION STATEMENT

The following self-certification statement is provided per federal requirements dated June 15, 1988.

Please be advised that Berry Petroleum Company is considered to be the operator of the following well.

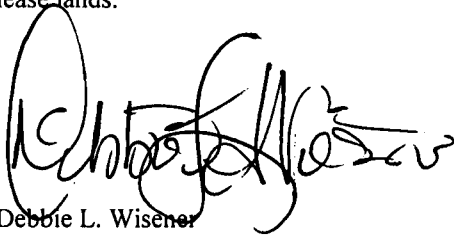
Ute Tribal 11-8-55

NE 1/4, SW 1/4, 1945' FSL 2031' FWL, Section 8, T. 5 S., R. 5 W., U.S.B.&M.

Lease BIA 14-20-H62-4778 (E&D)

Duchesne, County, Utah

Berry Petroleum Company is responsible under the terms of the lease for the operations conducted upon the lease lands.



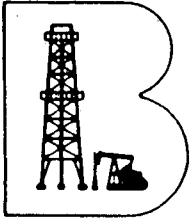
Debbie L. Wisener
Production & Regulatory Technician
Berry Petroleum Company
1614 South 2000 West
Route 3, Box 3020
Roosevelt, Utah 84066
435-722-1325

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003



Berry Petroleum Company

Brundage Canyon Field

1614 South 2000 West
Rt. 3 Box 3020
Roosevelt, UT 84066

Ph. (435) 722-1325
Fax: (435) 722-1321
www.bry.com

November 22, 2004

State Of Utah
Division of Oil, Gas & Mining
1594 W. North Temple,
Suite 1210 Box 145801
Salt Lake City, Utah 84114-5801

Re: Application for Permit to Drill

Attached please find one (1) original copy of an *Application for Permit to Drill* on the following locations:

UTE TRIBAL 10-19-54

UTE TRIBAL 12-19-54

UTE TRIBAL 16-30-54

UTE TRIBAL 11-8-55 ✓

UTE TRIBAL 11-9-55

UTE TRIBAL 11-12-55

Thank you,


Debbie L. Wisener
Production & Regulatory Technician

cc: Bureau of Indian Affairs
Ute Indian Tribe
Bureau of Land Management

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DIV. OF OIL, GAS & MINING

BERRY PETROLEUM COMPANY
Ute Tribal 11-8-55
Surface location NE 1/4, SW 1/4, 1945' FSL 2031' FWL, Section 8, T. 5 S., R. 5 W., U.S.B.&M.
Duchesne County, Utah

ONSHORE ORDER NO. 1

DRILLING PROGRAM

1,2 Estimated Tops of Geological Markers and Formations Expected to Contain Water, Oil and Gas and Other Minerals

<u>Formation</u>	<u>Depth</u>
Uinta	surface
Green River	1582'
Mahogany	2741'
TGR3 Marker	3799'
*Douglas Creek	4586'
*Castle Peak	5502'
Uteland Butte Ls.	5890'
Wasatch	6116'
TD	6235'

*PROSPECTIVE PAY

3 Pressure Control Equipment

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

4 Proposed Casing and Cementing Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

5 Drilling Fluids Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

6 Evaluation Program

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

Berry Petroleum Company
Drilling Program
Ute Tribal 11-8-55
Duchesne County, Utah
Page Two

7 Abnormal Conditions

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING
PROCEDURE (SOP VERSION: AUGUST 10, 2004).

8 Anticipated Starting Dates and Notification of Operations

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING
PROCEDURE (SOP VERSION: AUGUST 10, 2004).

9 Other information

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING
PROCEDURE (SOP VERSION: AUGUST 10, 2004).

BERRY PETROLEUM COMPANY
Ute Tribal 11-8-55
Surface location NE 1/4, SW 1/4, 1945' FSL 2031' FWL, Section 8, T. 5 S., R. 5 W., U.S.B.&M.
Duchesne County, Utah

ONSHORE ORDER NO. 1

MULTI POINT SURFACE USE & OPERATIONS PLAN

1 Existing Roads

To reach the Berry Petroleum Company well, Ute Tribal 11-8-55 location, in Section 8-T5S-R5W:

Start in Myton, Utah. Proceed west on US Highway 40, 8.6 miles to the Antelope Creek/Sowers Canyon Road at the Bridgeland turnoff. Turn south and proceed southwest 22.7 miles to the Cottonwood Canyon Road (Sec. 7 Compressor Site). Turn north onto CR-25 and proceed north 5.2 miles. Turn south off CR-25 and proceed southwest 4.9 miles to the Ute Tribal 11-8-55 access road. Turn north and proceed 300' +/- to the Ute Tribal 11-8-55 location.

The existing oilfield service road may need some surface material to prevent or repair holes in the road due to heavy truck traffic during the drilling and completion operation. If repairs are made the operator will secure material from private sources.

Please see the attached map for additional details.

2 Planned Access Road

See Topographic Map "B" for the location of the proposed access road.

3 Location of Existing Wells

See Topographic Map "C" for the location of existing wells within a 1mile radius.

4 Location of Tank Batteries, Production Facilities and Production Gathering and Service Lines

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

5 Location and Type of Water Supply

Water for the drilling and completion will be pumped or trucked from the Berry source wells located in Sec. 23, T5S, R5W or Sec. 24, T5S, R5W, permit # 43-11041, or from Duchesne City Culinary Water Dock located in Sec. 1, T4S, R5W or from East Duchesne Water, Arcadia Feedlot, Sec. 28, T3S, R3W or from Petroglyph Operating Company 08-04 Waterplant, Sec. 8, T5S, R3W or from Kenneth V. & Barbara U. Richens source well located in Sec. 34, T3S, R2W, permit # 43-1723 or Brundage Canyon Field produced water or Leo Foy source well located in Sec. 34, T5S, R5W, permit # 43-11324. A water use agreement is also in place with the Ute Tribe.

6 Source of Construction Materials

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

7 Methods of Handling Waste Materials

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

8 Ancillary Facilities

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

9 Wellsite Layout

The attached Location Layout diagram describes drill pad cross-sections, cuts and fills, and locations of the mud tanks, reserve pit, pipe racks, trailer parking, spoil dirt stockpile(s) and surface material stockpile(s)

10 Plans for Restoration of the Surface

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

11 Surface Ownership

Ute Indian Tribe

12 Other information

PLEASE REFER TO BERRY PETROLEUM COMPANY STANDARD OPERATING PROCEDURE (SOP VERSION: AUGUST 10, 2004).

13 Operator's Representative and Certification

A) Representative

NAME: Debbie L. Wisener

ADDRESS: Berry Petroleum Company
1614 South 2000 West
Route 3, Box 3020
Roosevelt, Utah 84066

PHONE: 435-722-1325

All lease and/or unit operations will be conducted in such a manner that full compliance is made with all applicable laws, regulations and onshore oil and gas orders. The operator is fully responsible for the actions of its subcontractors. A copy of these conditions will be furnished to the field representative to ensure compliance.

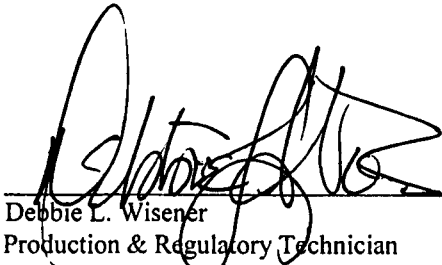
The drilling permit will be valid for a period of one year from the date of approval. After permit termination, a new application will be filed for approval for any future operations.

B) Certification:

I hereby certify that I, or persons under my direct supervision, have inspected the proposed drillsite and access route; that I am familiar with the conditions which presently exist; that the statements made in this plan are, to the best of my knowledge and belief, true and correct; and that the work associated with the operations proposed herein will be performed by Berry Petroleum Company and its contractors and subcontractors in conformity with this plan and the terms and conditions under which it is approved. This statement is subject to the provisions of 18 U.S.C. 1001 for the filing of a false statement.

Nov. 18, 04

DATE



Debbie L. Wisener
Production & Regulatory Technician
Berry Petroleum Company

APPLICATION FOR GRANT OF CORRIDOR RIGHT-OF-WAY

BERRY PETROLEUM COMPANY, having a resident or principal place of business at Route 3 Box 3020, Roosevelt, Utah, 84066, hereby files an application with the Bureau of Indian Affairs, pursuant to the terms and provisions of the Act of February 5, 1948 (62 Stat. 17; 25 U.S.C. 323), and to the regulations of the Department of the Interior contained in Title 25, Code of Federal Regulations, Part 169, for the grant of a Right-of-Way for the following purposes and reasons:

To construct a Corridor Right-of-Way for the UTE TRIBAL #11-8-55

Across the following described Indian Lands NE 1/4 SW 1/4, NW 1/4 SE 1/4 & S 1/2 NE 1/4, NE 1/4 NE 1/4 OF SECTION 8, & THE NW 1/4 NW 1/4 OF SECTION 9, T5S, R5W, U.S.B.&M.

Drill Site = 1.993 Ac.

Corridor R-O-W = 3.377 Ac.

Total Acreage = 5.370 Acres

(Access Road & Pipeline)

4" SDR-11 POLY PIPELINE

Said Right-of-Way to be approximately 4,903.92' feet in length, 30 feet in width, and 3.377 Acres, and more particularly described and shown on the map of definite location to be attached and made a part hereof.

The applicant understands and hereby expressly agrees to the following stipulations:

- (a) To construct and maintain the Right-of-Way in a workmanlike manner.
- (b) To pay promptly all damages and compensation, in addition to the deposit made pursuant to 169.4 determined by the Secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the Right-of-Way.
- (c) To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees or subcontractors and their employees.
- (d) To restore the lands as nearly as may be possible to their original condition upon the completion of the construction to the extent compatible with the purpose for which the Right-of-Way was granted.
- (e) To clear and keep clear the lands within the Right-of-Way to the extent compatible with the purpose of the Right-of-Way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during the construction and maintenance of the project.
- (f) To take soil and resource conservation and protection measures, including weed control, on the land covered by the Right-of-Way.

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- (g) To do everything reasonable within its power to prevent and suppress fires on or near the lands to be occupied under the Right-of-Way.
- (h) To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the Right-of-Way.
- (I) That upon revocation or termination of the Right-of-Way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.
- (j) To at all times keep the Secretary informed of its address, and in case of corporations of the address of its principal officers.
- (k) That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the Right-of-Way is granted.

IN WITNESS THEREOF, BERRY PETROLEUM COMPANY. has caused this instrument to

be executed this 27 day of Aug., 2004.

Chase Hemline
WITNESS

BERRY PETROLEUM COMPANY
APPLICANT

Mike Anderson
WITNESS

Ed Courtright
Ed Courtright/Production Foreman
Route 3 Box 3020
Roosevelt, Utah 84066
Phone:(435)722-1325

SUPPORTING DOCUMENTS:

- () Written consent of the landowners.
- () Evidence of good faith and financial responsibility.
- (x) \$0 as per the terms of the Exploration and Development Agreement (14-20-H62-4778).
- () State certified copy of corporate charter or articles of corporation.
- () Certified copy of resolution or bylaws of the corporation authorizing the filing of the stipulation
- () State certification that the applicant is authorized to do business in the State where the land is located.
- () Certified copy of the articles of partnership or association.
- (x) Map of definite location.
- () Other:

BERRY PETROLEUM COMPANY
UTE TRIBAL #11-8-55
DAMAGE AREA & CORRIDOR RIGHT-OF-WAY
SECTIONS 8 & 9, T5S, R5W, U.S.B.&M.

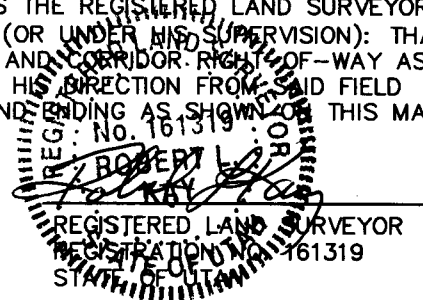
TOTAL CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS

TOTAL LENGTH OF RIGHT-OF-WAY IS 4903.92' OR 0.929 MILES. WIDTH OF RIGHT-OF-WAY IS 30' (15' PERPENDICULAR ON EACH SIDE OF THE CENTERLINE). CONTAINS 3.377 ACRES MORE OR LESS.

ENGINEER'S AFFIDAVIT

STATE OF UTAH }
COUNTY OF UTAH } SS

ROBERT L. KAY, BEING FIRST DULY SWORN DEPOSES AND STATES THAT HE IS THE REGISTERED LAND SURVEYOR, FOR BERRY PETROLEUM COMPANY, THAT THESE SURVEYS WERE MADE BY HIM (OR UNDER HIS SUPERVISION): THAT HE HAS EXAMINED THE FIELD NOTES OF THE SURVEYS OF THE DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY AS DESCRIBED AND SHOWN ON THIS MAP, THAT THIS MAP WAS PREPARED UNDER HIS DIRECTION FROM SAID FIELD NOTES; AND THAT SAID RIGHT-OF-WAY, 0.929 MILES IN LENGTH BEGINNING AND ENDING AS SHOWN ON THIS MAP IS ACCURATELY REPRESENTED.



ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 26 DAY OF Aug 2004.

MY COMMISSION EXPIRES Aug 17, 2006

Mary D. H. Li
NOTARY PUBLIC
VERNAL, UTAH

APPLICANT'S CERTIFICATE

I, ED COURTRIGHT, DO HEREBY CERTIFY THAT I AM THE AGENT FOR BERRY PETROLEUM COMPANY, HEREINAFTER DESIGNATED THE APPLICANT; THAT ROBERT L. KAY WHO SUBSCRIBED TO THE FOREGOING AFFIDAVIT, IS EMPLOYED BY THE APPLICANT AS A LAND SURVEYOR AND THAT HE WAS DIRECTED BY THE APPLICANT TO SURVEY THE LOCATION OF THIS DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY, 0.929 MILES IN LENGTH BEGINNING AT STA. 0+00 AND ENDING AT STA. 49+03.92, THAT SAID DAMAGE AREA AND CORRIDOR RIGHT-OF-WAY ARE ACCURATELY REPRESENTED ON THIS MAP; THAT SUCH SURVEY AS REPRESENTED ON THIS MAP HAS BEEN ADOPTED BY THE APPLICANT AS THE DEFINITE LOCATION OF THE RIGHT-OF-WAY THEREBY SHOWN; AND THAT THE MAP HAS BEEN PREPARED TO BE FILED WITH THE SECRETARY OF THE INTERIOR OR HIS DULY AUTHORIZED REPRESENTATIVE AS PART OF THE APPLICATION FOR SAID RIGHT-OF-WAY TO BE GRANTED THE APPLICANT, ITS SUCCESSORS AND ASSIGNS, WITH THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR IMPROVEMENTS, THEREON AND THEREOVER, FOR SUCH PURPOSES, AND WITH THE FURTHER RIGHT IN THE APPLICANT, ITS SUCCESSORS AND ASSIGNS TO TRANSFER THIS RIGHT-OF-WAY BY ASSIGNMENT, GRANT, OR OTHERWISE.

Ed Courtright
APPLICANT

PRODUCTION SUPERVISOR

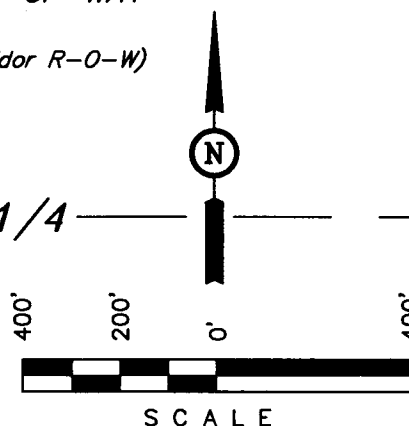
TITLE

LOCATION DAMAGE AREA & CORRIDOR RIGHT-OF-WAY ON UTE TRIBAL LANDS

(For UTE TRIBAL #11-8-55)

LOCATED IN
SECTIONS 8 & 9, T5S, R5W, U.S.B.&M.
DUCESNE COUNTY, UTAH

BEGINNING OF PROPOSED
CORRIDOR RIGHT-OF-WAY
STA. 0+00
(At #15-5-55 Corridor R-O-W)



DAMAGE AREA DESCRIPTION

BEGINNING AT A POINT IN THE NE 1/4 SW 1/4 OF SECTION 8, T5S, R5W, U.S.B.&M. WHICH BEARS N13°16'42"W 2027.02' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 8, THENCE S19°12'15"E 95.21'; THENCE S70°47'45"W 350.00'; THENCE N19°12'15"W 260.00'; THENCE N70°47'45"E 230.00'; THENCE S78°56'52"E 138.92'; THENCE S19°12'15"E 94.79' TO THE POINT OF BEGINNING. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 1.993 ACRES MORE OR LESS.

Sec. 9

CERTIFICATE

THIS IS TO CERTIFY THAT THE ABOVE PLAT WAS PREPARED FROM FIELD NOTES OF ACTUAL SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NO. 161219
ROBERT E. JENSEN
REGISTERED LAND SURVEYOR
REGISTRATION NO. 161318
STATE OF UTAH

UINTAH ENGINEERING & LAND SURVEYING
85 SOUTH - 200 EAST • (435) 789-1017
VERNAL, UTAH - 84078

SCALE
1" = 400'

DATE
08-12-04

PARTY
S.H. L.M. D.R.B.

REFERENCES
G.L.O. PLAT

WEATHER
WARM

FILE
4 3 5 2 9

S89°56'W - 2650.56' (G.L.O.)

Section Line

Set Marked Stone

S88°44'00"E - 2646.35' (Meas.)

CORRIDOR RIGHT-OF-WAY DESCRIPTION

A 30' WIDE RIGHT-OF-WAY 15' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT IN THE NW 1/4 NW 1/4 OF SECTION 9, T5S, R5W, U.S.B.&M. WHICH BEARS S49°48'48"E 683.09' FROM THE NORTHWEST CORNER OF SAID SECTION 9, THENCE S41°14'28"W 229.63'; THENCE S39°21'48"W 172.55'; THENCE S50°41'48"W 290.29'; THENCE S58°12'23"W 68.31' TO A POINT ON THE WEST LINE OF THE NW 1/4 NW 1/4 OF SAID SECTION 9, WHICH BEARS S01°17'00"W 966.97' FROM THE NORTHWEST CORNER OF SAID SECTION 9, THENCE S58°12'23"W 109.63'; THENCE S59°17'52"W 137.20'; THENCE S63°46'16"W 135.47'; THENCE S66°31'25"W 185.98'; THENCE S58°24'52"W 162.78'; THENCE S57°02'10"W 214.97'; THENCE S58°47'02"W 169.06'; THENCE S47°49'21"W 74.49'; THENCE S56°28'53"W 164.50'; THENCE S54°43'20"W 169.52'; THENCE S53°16'25"W 156.96'; THENCE S49°00'12"W 115.85'; THENCE S53°47'52"W 238.45'; THENCE S38°14'30"W 174.97'; THENCE S25°08'10"W 164.67'; THENCE S27°29'04"W 183.96'; THENCE S35°25'37"W 119.07'; THENCE S31°13'27"W 157.31'; THENCE S31°49'29"W 159.38'; THENCE S29°37'03"W 114.52'; THENCE S32°44'53"W 112.29'; THENCE S35°45'22"W 161.76'; THENCE S30°19'27"W 133.34'; THENCE S46°05'04"W 90.41'; THENCE S64°40'37"W 99.60'; THENCE N46°07'16"W 200.19'; THENCE N60°12'39"W 89.48'; THENCE N60°02'37"W 88.86'; THENCE N89°47'19"W 58.47' TO A POINT IN THE NE 1/4 SW 1/4 OF SECTION 8, T5S, R5W, U.S.B.&M., WHICH BEARS N13°16'42"W 2027.02' FROM THE SOUTH 1/4 CORNER OF SAID SECTION 8. THE SIDE LINES OF SAID DESCRIBED RIGHT-OF-WAY BEING SHORTENED OR ELONGATED TO MEET THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS A G.P.S. OBSERVATION. CONTAINS 3.377 ACRES MORE OR LESS.

1/4 Section Line

Sec. 8

END OF PROPOSED
CORRIDOR RIGHT-OF-WAY
STA. 49+03.92
(At Edge of Damage Area)

DAMAGE AREA
UTE TRIBAL #11-8-55
Contains 1.993 Acres
NE 1/4 SW 1/4

S 1/4 Cor Sec 8
Set Stone

Centerline of Proposed
Corridor Right-of-Way

NE 1/4

NOTE:

BEGINNING STA. 0+00 BEARS S49°48'48"E 683.09' FROM THE NORTHWEST CORNER OF SECTION 9, T5S, R5W, U.S.B.&M.

P.O.S.L. 7+60.78 BEARS S01°17'00"W 966.97' FROM THE NORTHWEST CORNER OF SECTION 9, T5S, R5W, U.S.B.&M.

ENDING STA. 49+03.92 BEARS N13°16'42"W 2027.02' FROM THE SOUTH 1/4 CORNER OF SECTION 8, T5S, R5W, U.S.B.&M.

RIGHT-OF-WAY LENGTHS

PROPERTY OWNER	FEET	ACRES	RODS
UTE TRIBAL	4903.92'	3.377	297.21

BASIS OF BEARINGS

BASIS OF BEARINGS IS A G.P.S. OBSERVATION.

▲ = SECTION CORNERS LOCATED.

SE 1/4

LINE TABLE		
LINE	BEARING	LENGTH
L1	S41°14'28"W	229.63'
L2	S39°21'48"W	172.55'
L3	S50°41'48"W	290.29'
L4	S58°12'23"W	68.31'
L5	S58°12'23"W	109.63'
L6	S59°17'52"W	137.20'
L7	S63°46'16"W	135.47'
L8	S66°31'25"W	185.98'
L9	S58°24'52"W	162.78'
L10	S57°02'10"W	214.97'
L11	S58°47'02"W	169.06'
L12	S47°49'21"W	74.49'
L13	S56°28'53"W	164.50'
L14	S54°43'20"W	169.52'
L15	S53°16'25"W	156.96'
L16	S49°00'12"W	115.85'
L17	S53°47'52"W	238.45'
L18	S38°14'30"W	174.97'
L19	S25°08'10"W	164.67'
L20	S27°29'04"W	183.96'
L21	S35°25'37"W	119.07'
L22	S31°13'27"W	157.31'
L23	S31°49'29"W	159.38'
L24	S29°37'03"W	114.52'
L25	S32°44'53"W	112.29'
L26	S35°45'22"W	161.76'
L27	S30°19'27"W	133.34'
L28	S46°05'04"W	90.41'
L29	S64°40'37"W	99.60'
L30	N46°07'16"W	200.19'
L31	N60°12'39"W	89.48'
L32	N60°02'37"W	88.86'
L33	N89°47'19"W	58.47'
L34	S19°12'15"E	95.21'
L35	N19°12'15"W	260.00'
L36	N70°47'45"E	230.00'
L37	S78°56'52"E	138.92'
L38	S19°12'15"E	94.79'

5280.00' (G.L.O.)

Set Stone

Corridor R-O-W
For #15-5-55P.I. 2+29.63
P.I. 4+02.18
P.I. 6+92.47
P.O.S.L. 7+60.78

Ute Tribal

Ute Tribal

Ute Tribal

Ute Tribal

Ute Tribal

RECEIVED OCT 05 2004

Berry Petroleum Company,
Ute Tribal #11-8-55 well:
A Cultural Resource Inventory for a well pad,
its access and pipeline,
Uintah-Ouray Ute Reservation,
Duchesne County, Utah

By
James A. Truesdale

James A. Truesdale
Principle Investigator

Prepared For
Berry Petroleum Co.
1614 South 2000 West
Roosevelt, Utah
84066

Prepared By
AN INDEPENDENT ARCHAEOLOGIST
P.O.Box 153
Laramie, Wyoming
82073

Utah Project # U-04-AY-808(i)

September 26, 2004

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NOV 26 2004
DIV. OF OIL, GAS & MINING

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Introduction

An Independent Archaeologist (AIA) was contacted by a representative of Berry Petroleum Co., to conduct a cultural resources investigation of the proposed Ute Tribal #11-8-55 well, its access and pipeline. The location of the project area is in the NE/SW 1/4 of Section 8, T5S, R5W, Duchesne County, Utah (Figure 1).

The proposed Ute Tribal #11-8-55 well's centerstake Alternate #1 footage is 1945' FSL, 2031' FWL. The Universal Transverse Mercator (UTN) coordinate for the proposed Ute Tribal #11-8-55 well centerstake is Zone 12, North American Datum (NAD) 83, 05/44/910.98 mE 44/34/443.90 mN \pm 5m.

From a existing oil and gas field road and pipeline associated with the Ute Tribal #15-5-55 well, the proposed access and pipeline parallel each other and trend southwest 5000 feet (1737.8 m) to the proposed well pad (Figure 1).

The land is administered by the United States (US), Department of Interior (DOI), Bureau of Indian Affairs (BIA), Phoenix Area Office, Uintah-Ouray Agency, and the Uintah-Ouray Ute Tribe, Ft. Duchesne, Utah. A total of 36.16 acres (10 block, and 26.16 linear) was surveyed. Fieldwork was authorized through an access permit issued by the Energy and Minerals Resource Division of the Uintah-Ouray Ute tribe. The field work was conducted on September 11, 2004 by AIA archaeologist James Truesdale, and accompanied by Kermit Wopsok (technician, Energy and Minerals Resource Division, Uintah-Ouray Ute tribe). All the field notes and maps are located in the AIA office in Laramie, Wyoming.

File Search

A GIS file search was conducted at the Utah Division of State History (UDSH), Antiquities Section, Records Division on August 27, 2004. In addition, AIA's USGS quadrangle Duchesne SE and Duchesne SW base maps were updated from UDSH Records division Duchesne SE and Duchesne SW base maps in November of 2003 and again on February 2, 2004. No additional projects have been conducted and/or cultural resources (sites, isolates) previously recorded in or adjacent to the project area.

Environment

Physiographically, the project is located in the Uinta Basin, approximately 25 miles southwest of Myton, Utah. The Uinta Basin is structurally the lowest part of the Colorado Plateau geographical province (Thornbury 1965:425). The Uinta Basin is a large, relatively flat, bowl shaped, east-west asymmetrical syncline near the base of the Uinta Mountains (Stokes 1986:231).

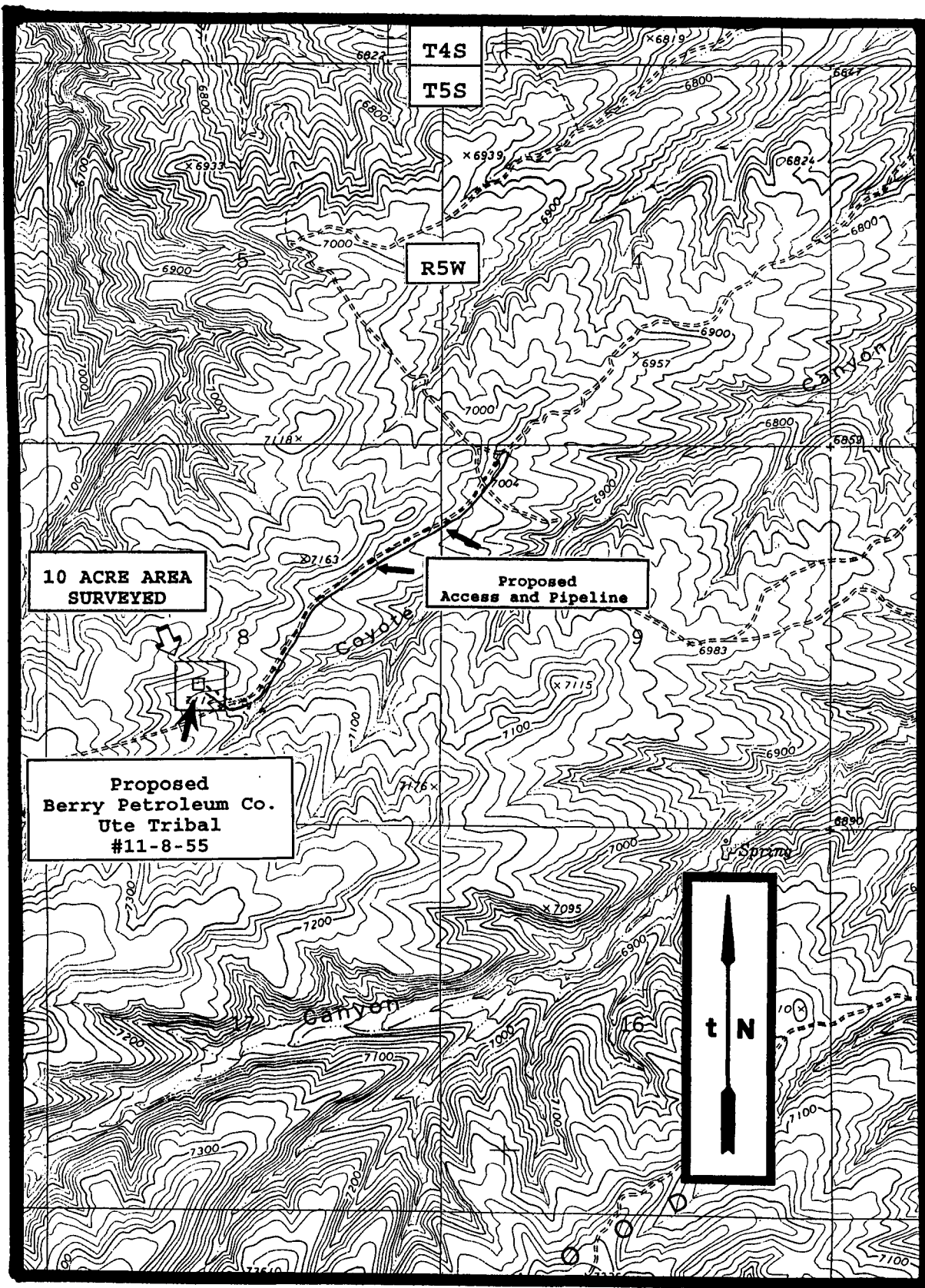


Figure 1. Location of the Berry Petroleum Co. proposed Ute Tribal #11-8-55 well, its access and pipeline on 7.5'/1964 USGS quadrangle map Duchesne SW, Duchesne County, Utah.

The topography is characteristic of sloping surfaces which incline northward and are mainly dip slopes on the harder layers of Green River and Uinta Formations. The terrain is characterized as having steep ridges and/or buttes of Uintah Formation sandstones and clays dissected by seasonal drainages and washes with wide flat alluvial plains. The basin contains a thick section of more than 9000 feet (2743.9 m) of early Tertiary rocks (Childs 1950). These rocks are mainly Paleocene and Eocene in age and consist of sandstone, clay and shale lacustrine, fluvial, and deltaic continental deposits, most famous of which are the lacustrine Green River Beds.

The project area is on Cottonwood Ridge. Cottonwood Ridge is a large southwest-northeast trending ridge system that is located 3/4 mile north of confluence between Tabby and Sowers Canyon. Portions of the desert hardpan and bedrock in the project area are covered with aeolian sand which may reach a depth of over 50 to 100 centimeters in areas. Tabby and Sowers Canyon trend northeast 5 miles to Antelope Creek and then 10 miles north to the Duchesne River.

Vegetation in the project area is characteristic of a Pinon/Juniper community. Species observed in the project area include; Pinyon pine (Pinus Edulis), juniper (Juniperus Osteosperma), curl-leaf mountain mahogany (Cercocarpus ledifolius), shadscale (Atriplex confertifolia), sand sage, (Artemisia filifolia), saltbush (Atriplex nuttallii), rabbitbrush (Chrysothamnus viscidiflorus), winterfat (Eurotia lanata), greasewood (Sarcobatus baileyi), Indian ricegrass (Oryzopsis hymenoides), desert needlegrass (Stipa speciosa), wild buckwheat, (Eriogonum ovvalifolium), silky lupine (Lupinus sericeus), desert globemallow (Bromus tectorum), sky rocket (Gilia aggregata), peppergrass (Lepidium perfoliatum), Russian thistle (Salsola kali), and prickly pear cactus (Opuntia spp.).

Ute Tribal #11-8-55

The immediate proposed Berry Petroleum Co. Ute Tribal #11-8-55 well is situated on the southern slope of a small west-east trending ridge (Figure 2). This small ridge is located on the southern drainage slope of a larger southwest-northeast trending ridge system located adjacent immediately north of Coyote Canyon (Figure 1). Vegetation consists of thick Pinyon/juniper forest which contains a understory of mountain mahogany, low sage, yucca, prickly pear cactus and bunchgrasses. A low sagebrush community with sagebrush, saltbush, bunchgrasses, and prickly pear cactus can be found along the base of the small low southern slope of the ridge. This low sagebrush community also contains a thick patch of yucca (Figure 3). Sediments are colluvial in nature (Figure 4). These colluvial deposits consist of shallow (<5 cm), poorly sorted, loosely compacted, tan to light brown sandy clay loam mixed with residual small to medium sized angular pieces of Uintah formation



Figure 2. View to south at the proposed Ute Tribal #11-8-55 centerstake and well pad area.

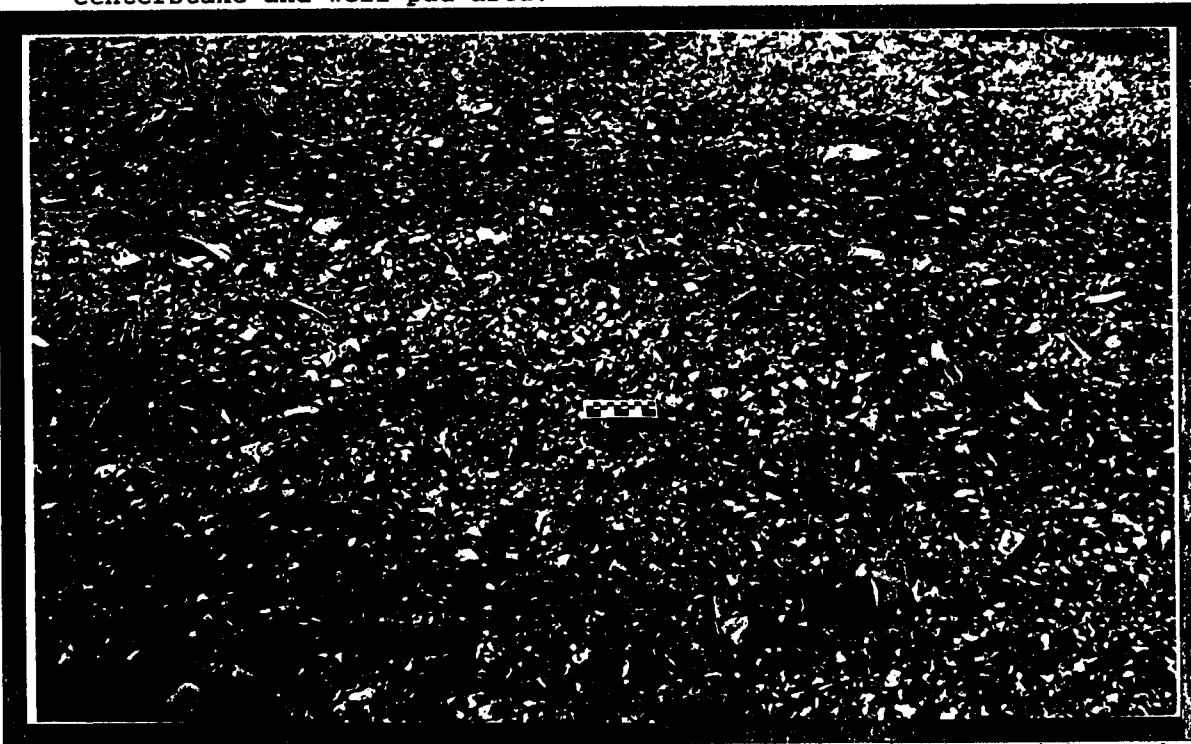


Figure 3. View of low sagebrush community vegetation with thick patch of yucca situated on the southern slope of ridge and proposed Ute Tribal #11-8-55 well pad.

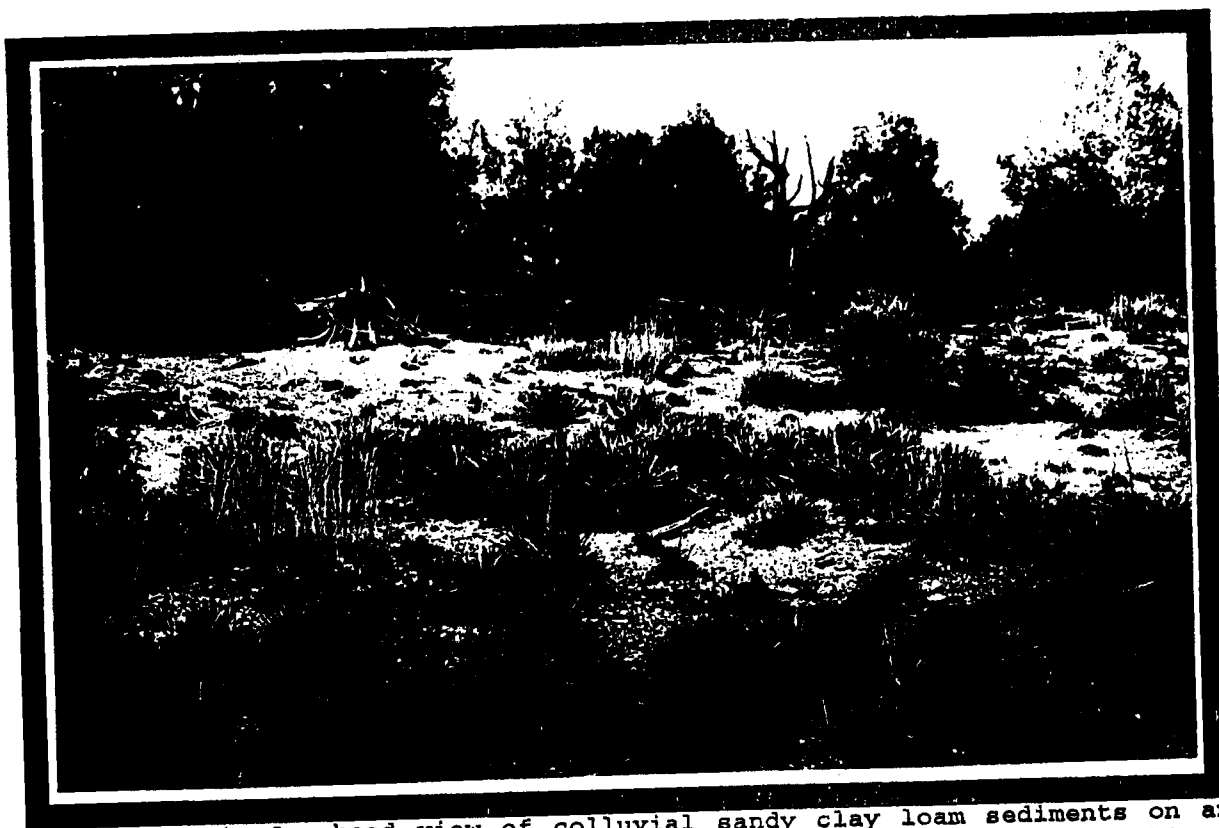


Figure 4. Overhead view of colluvial sandy clay loam sediments on and surrounding the proposed Ute Tribal #11-8-55 centerstake and well pad area.

sandstone, clays and shales (Figure 4). The elevation is 7140.56 feet (2177 m) AMSL.

From a existing oil and gas field service road associated with the Ute Tribal #15-5-55 well, the access and pipeline parallel each other and trend 5000 feet (1737.8 m) southwest to the proposed well pad (Figure 1). The access and pipeline follow a existing two track road along the relatively low flat top (crest) and upper southern slope of a large broad southwest-northeast trending ridge.

Sediments along the access and pipeline are colluvial in nature. However, the sediments have been disturbed due to the construction and possible cyclic maintenance to the two track road. The colluvial deposits consist of shallow (<5 to 15 cm), poorly sorted, loosely compacted, sandy clay loam colluvium mixed with eroding Uinta formation sandstones, clay and shales.

Vegetation along the access and pipeline is dominated by thick stands of Pinyon and juniper trees with a understory of mountain mahogany, low sage, yucca, bunchgrasses (wheatgrass, Indian rice-grass, cheatgrass), hedgehog and prickly pear cactus. A portion of the access and pipeline crosses over several small low ridges that are covered with a low sagebrush, saltbush,

bunchgrasses and prickly pear cactus.

The surrounding hills and ridges exhibit relatively thick ledges of sandstone. The surrounding area vegetation is characteristic of a Pinyon/juniper community. Pinyon and juniper with a understory of mountain mahogany, low sagebrush, yucca, bunchgrasses along the hill and ridge slopes, and low sagebrush community in the ridge top flats and open parks.

Field Methods

A total of 10 acres was surveyed around the centerstake of the proposed well location to allow for relocation of the pad if necessary. The survey was accomplished by walking transects spaced no more than 15 meters apart. The proposed access and pipeline parallel each other. Each of these corridors surveyed is 5000 feet (1737.8 m) long and 100 feet (30.4 m) wide, 13.08 acres. Therefore, 26.16 linear acres was surveyed.

Geologic landforms (rockshelters, alcoves, ridge tops and saddles) and areas of subsurface exposure (ant hills, blowouts, rodent holes and burrow, eroding slopes and cutbanks) were examined with special care in order to locate cultural resources (sites, isolates) and possibly help assess a sites sedimentary integrity and potential for the presence and/or absence of buried intact cultural deposits. The entire surface area of ridge tops were covered. All exposures of sandstone cliff faces, alcoves or rockshelter, and talus slopes were surveyed.

When cultural materials are discovered, a more thorough survey of the immediate vicinity is conducted in order to locate any associated artifacts and to determine the horizontal extent (surface area) of the site. If no other artifacts are located during the search then the initial artifact was recorded as an isolated find. At times, isolated formal tools (typical end scrapers, projectile points) were drawn and measured. The isolate was then described and its location plotted on a U.S.G.S. topographic map and UTM coordinates are recorded.

When sites are found a Intermountain Antiquities Computer System (IMACS) form was used to record the site. At all sites, selected topographic features, site boundaries, stone tools and cultural features (hearths, foundations, trash dumps and trails) are mapped. Sites were mapped with a Brunton compass and pacing off distances from a mapping station (datum). All debitage is inventoried using standard recording techniques (Truesdale 1995 et al 1995:7) according to material type, basic flake type, and so on. Selected (mostly complete) stone tools and projectile points are drawn and measured. All features (rockart panel(s), hearths, foundations, trash dumps and trails), are measured and described, while selected features are either drawn or photographed.

Site location data is recorded by a GARMIN Global Positioning System (GPS III Plus) and/or a E-Trex GPS. Site elevation and Universal Transverse Mercator (UTM) grid data, its Estimated Position Error (EPE) and Dilution of Precision (DOP) were recorded. Using the GPS data, the site location was then placed on a USGS 7.5' quadrangle map.

Results

A total of 36.16 acres (10 block, 26.16 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #11-8-55 and along its access and pipeline. No cultural materials were recorded on or surrounding the proposed Ute Tribal #11-8-55 well or along its proposed access and pipeline.

Modern trash (plastic soda pop, oil and antifreeze bottles, clear, green, and brown bottle glass, foam insulation and sanitary food cans) can be found throughout the Cottonwood Ridge oil and gas field and along its service roads.

Recommendations

A total of 36.16 acres (10 block, 26.16 linear) were surveyed for cultural resources within and around the proposed Berry Petroleum Co. Ute Tribal #11-8-55 and along its access and pipeline. No cultural resources (sites, isolates) were recorded on or surrounding the proposed Ute Tribal #11-8-55 well or along its proposed access and pipeline.

Modern trash (plastic soda pop, oil and antifreeze bottles, clear, green, and brown bottle glass, foam insulation and sanitary food cans) can be found throughout the Cottonwood Ridge oil and gas field and along its service roads.

No additional cultural resources (sites, isolates) were recorded during the survey. Sediments on the proposed well pad and along its access and pipeline are shallow (<5 cm). Therefore, the possibility of buried and intact cultural materials located on the proposed well pad or along its, access and pipeline is low. Thus, no additional archaeological work is necessary and clearance is recommended for the construction of the proposed Ute Tribal #11-8-55 well pad, its access and pipeline.

REFERENCES CITED

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1950 Geologic history of the Uinta Basin, Utah Geological and Mineralogical Survey. Guidebook to the Geology of Utah, NO. 5:49-59.

Stokes, William Lee

1986 Geology of Utah. Contributions by Utah Museum of Natural History, and the Utah Geological and Mineral Survey Department of Natural Resources. Utah Museum of Natural History, Occasional Papers, Number 6.

Thornbury, William D.

1965 Regional Geomorphology of the United States. John Wiley & Sons, Inc.

Truesdale, James A., Kathleen E Hiatt, and Clifford Duncan

1995 Cultural Resource Inventory of the Proposed Ouray Gravel Pit Location, Uintah-Ouray Ute Reservation, Uintah County, Utah. Report prepared for U & W Construction, Ft. Duchesne, Utah by AIA, Laramie, Wyoming.

BERRY PETROLEUM COMPANY

UTE TRIBAL #11-8-55

LOCATED IN DUCHESNE COUNTY, UTAH

SECTION 8, T5S, R5W, U.S.B.&M.



PHOTO: VIEW OF WELL LOCATION STAKE

CAMERA ANGLE: SOUTHEASTERLY

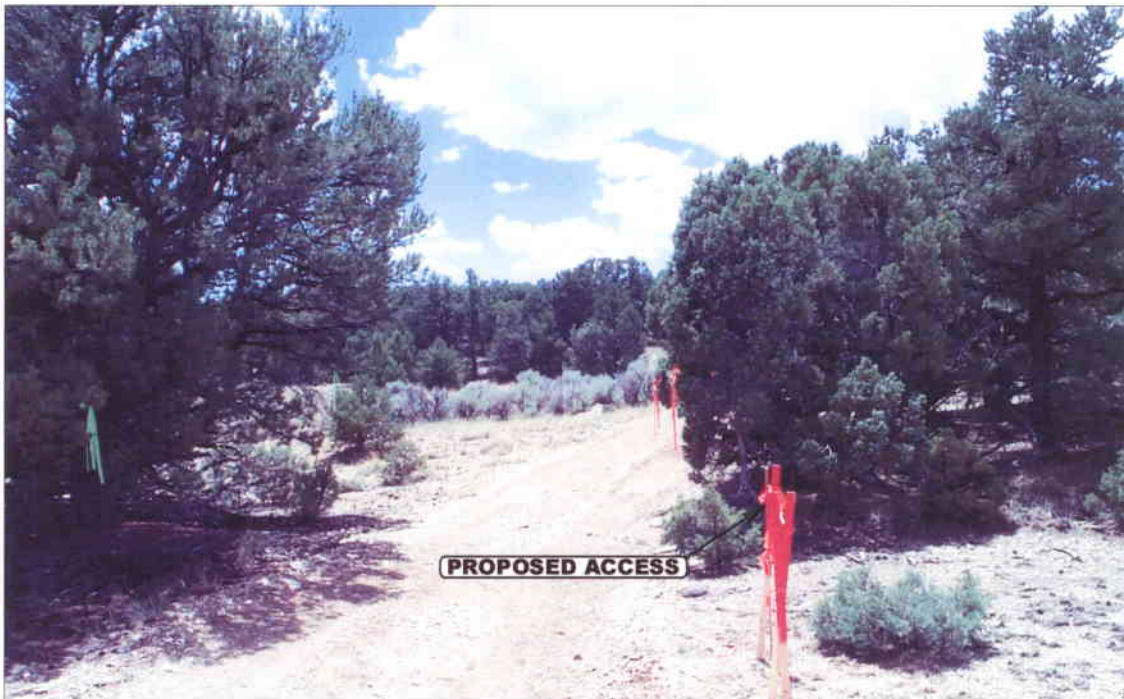


PHOTO: VIEW FROM BEGINNING OF PROPOSED ACCESS

CAMERA ANGLE: SOUTHWESTERLY

RECEIVED

NOV 26 2004

DIV. OF OIL, GAS & MINING



- Since 1964 -

UELS

Uintah Engineering & Land Surveying

85 South 200 East Vernal, Utah 84078
435-789-1017 uels@uelsinc.com

LOCATION PHOTOS

8 19 04
MONTH DAY YEAR

PHOTO

TAKEN BY: S.H.

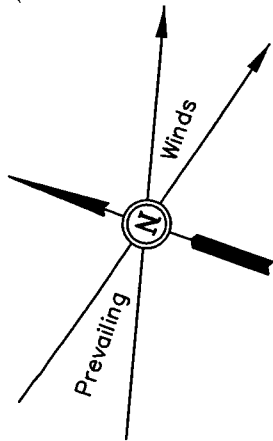
DRAWN BY: K.G.

REVISED: 00-00-00

BERRY PETROLEUM COMPANY

LOCATION LAYOUT FOR

UTE TRIBAL #11-8-55
SECTION 8, T5S, R5W, U.S.B.&M.
1945' FSL 2031' FWL



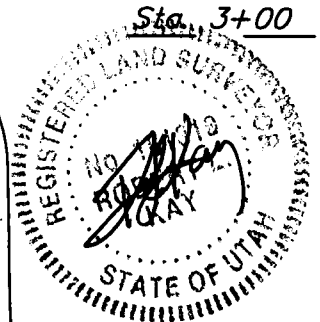
SCALE: 1" = 50'
DATE: 08-10-04
DRAWN BY: D.R.B.

NOTE:

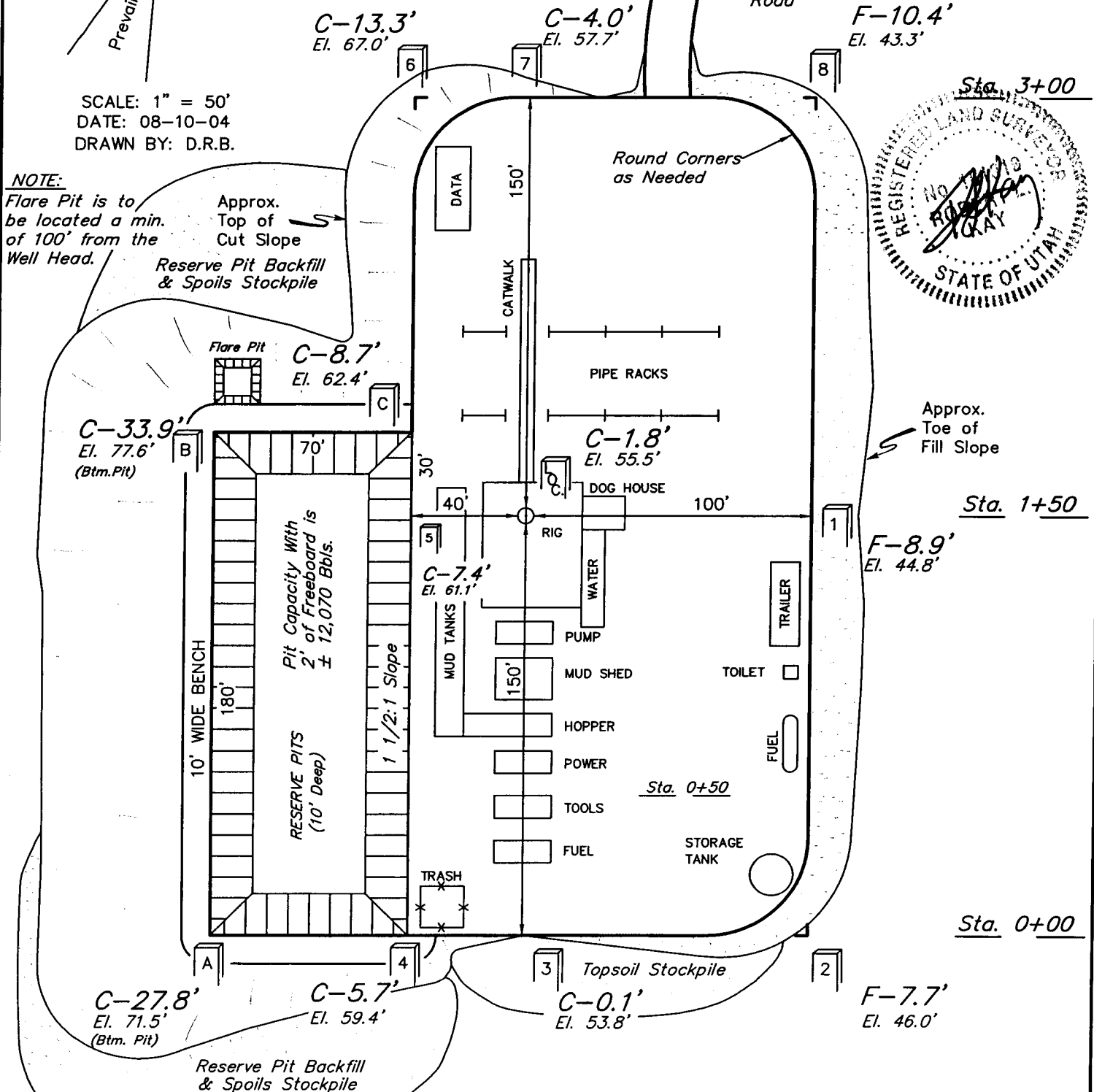
Flare Pit is to be located a min. of 100' from the Well Head.

Approx. Top of Cut Slope

Reserve Pit Backfill & Spoils Stockpile



Approx. Toe of Fill Slope



Elev. Ungraded Ground at Location Stake = 7155.5'
Elev. Graded Ground at Location Stake = 7153.7'

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BERRY PETROLEUM COMPANY

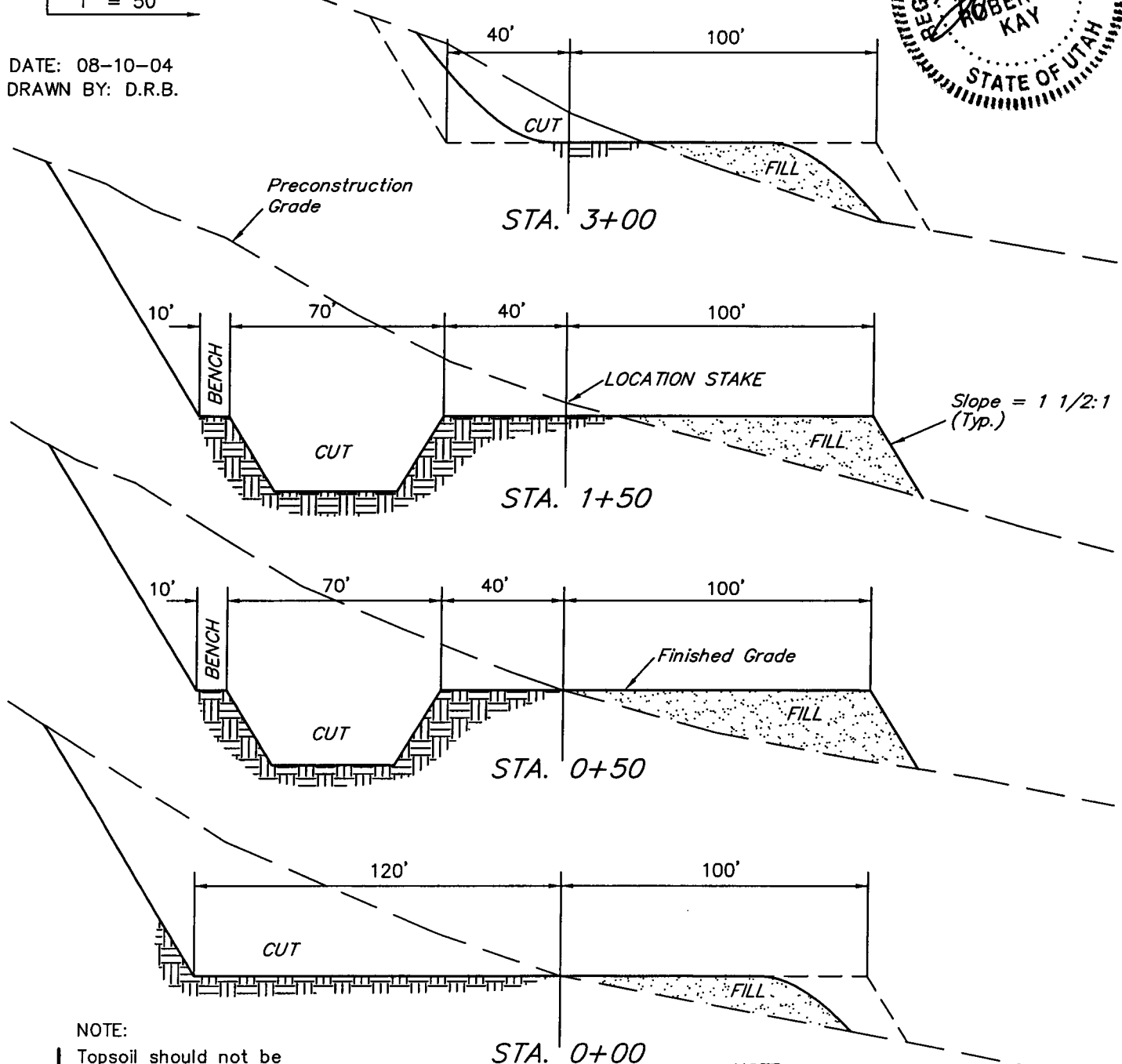
TYPICAL CROSS SECTIONS FOR

UTE TRIBAL #11-8-55
SECTION 8, T5S, R5W, U.S.B.&M.
1945' FSL 2031' FWL



1" = 20'
X-Section
Scale
1" = 50'

DATE: 08-10-04
DRAWN BY: D.R.B.



NOTE:
Topsoil should not be
Stripped Below Finished
Grade on Substructure Area.

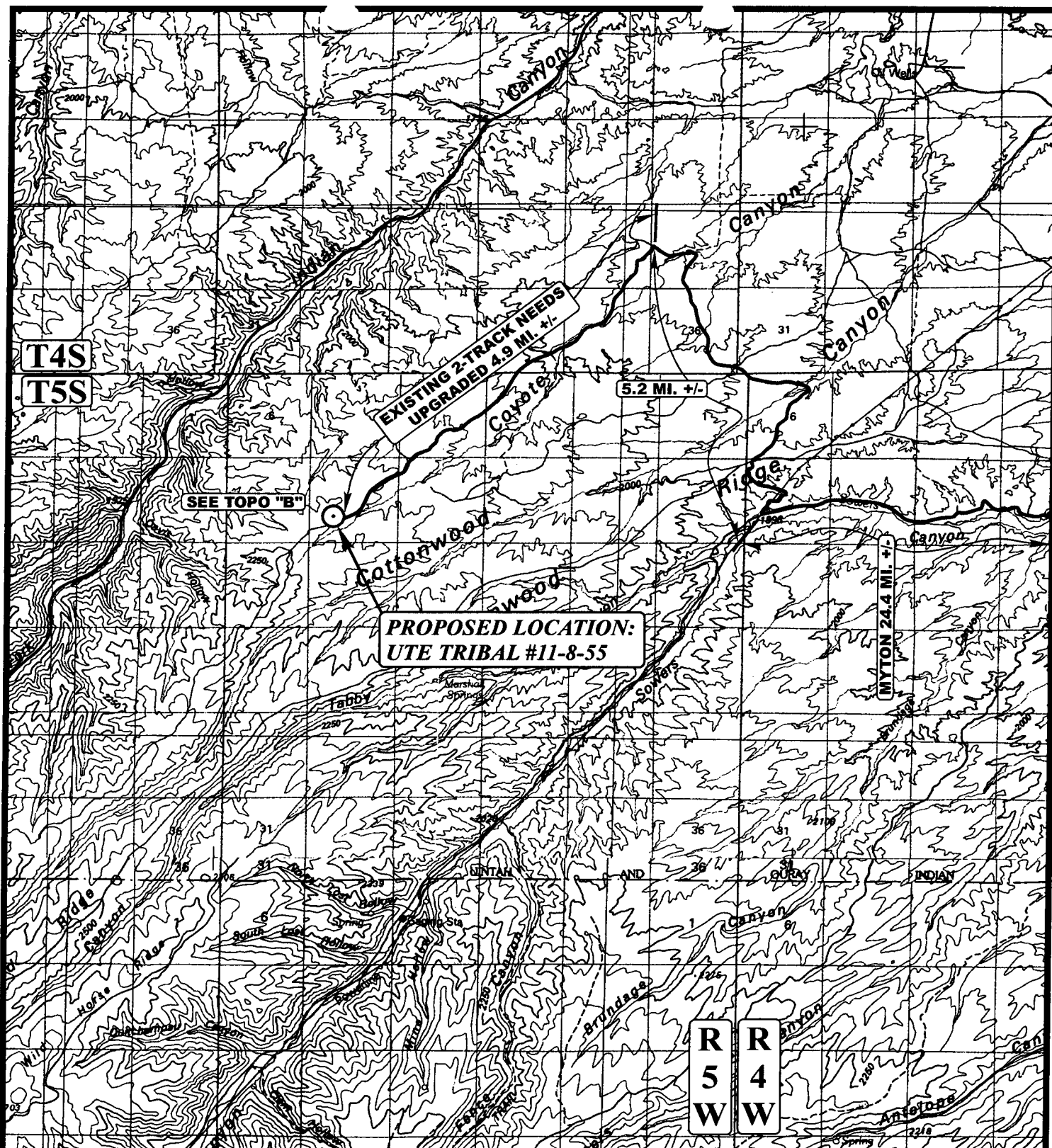
* NOTE:
FILL QUANTITY INCLUDES
5% FOR COMPACTION

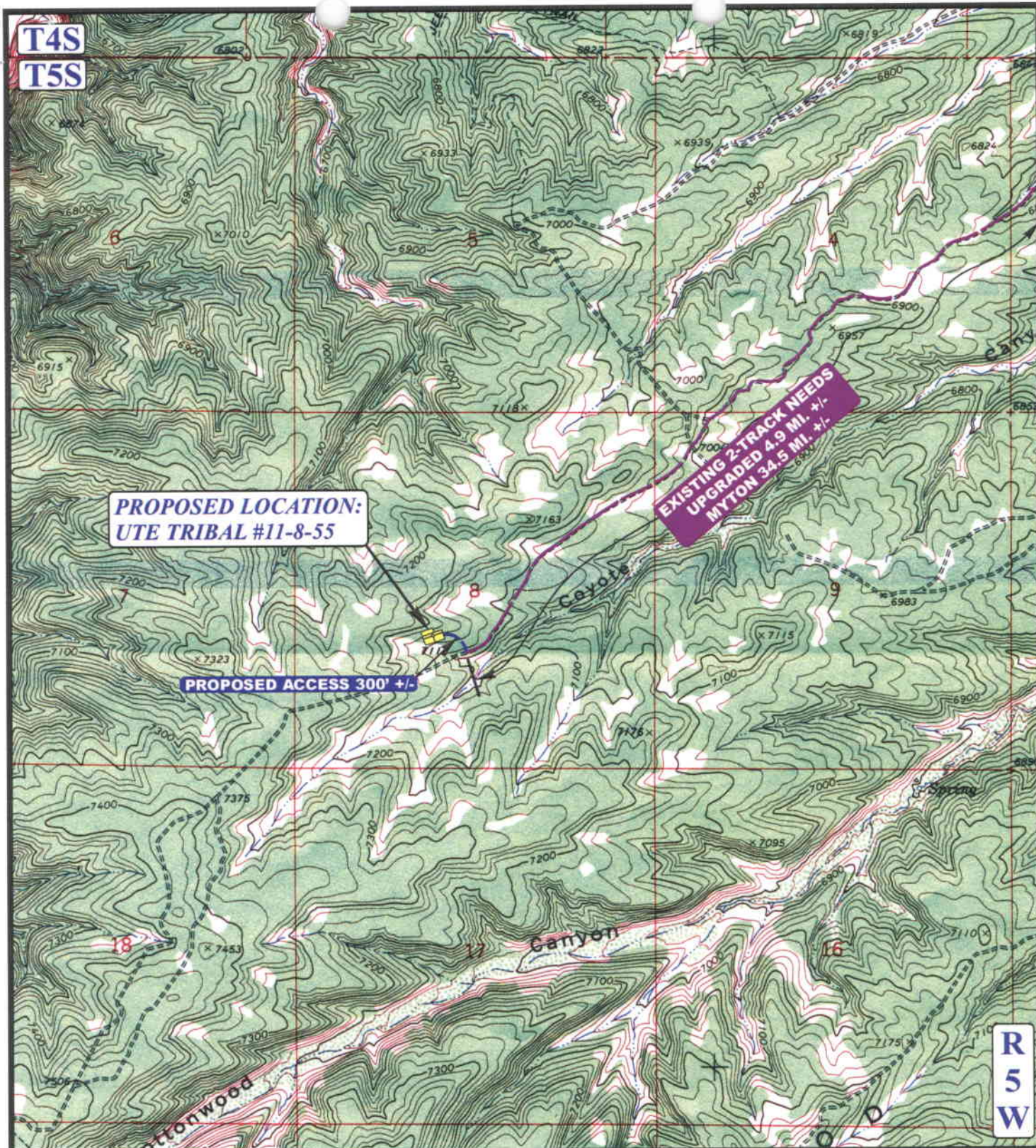
APPROXIMATE YARDAGES

CUT
(12") Topsoil Stripping = 3,300 Cu. Yds.
Remaining Location = 19,430 Cu. Yds.
TOTAL CUT = 22,730 CU.YDS.
FILL = 7,860 CU.YDS.

EXCESS MATERIAL = 14,870 Cu. Yds.
Topsoil & Pit Backfill
(1/2 Pit Vol.) = 5,000 Cu. Yds.
EXCESS UNBALANCE = 9,870 Cu. Yds.
(After Rehabilitation)

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85 So. 200 East * Vernal, Utah 84078 * (435) 789-1017





LEGEND:

- PROPOSED ACCESS ROAD
- ===== EXISTING ROAD
- EXISTING 2-TRACK NEEDS UPGRADED



BERRY PETROLEUM COMPANY

UTE TRIBAL #11-8-55
SECTION 8, T5S, R5W, 6th P.M.
1945' FSL 2031' FWL



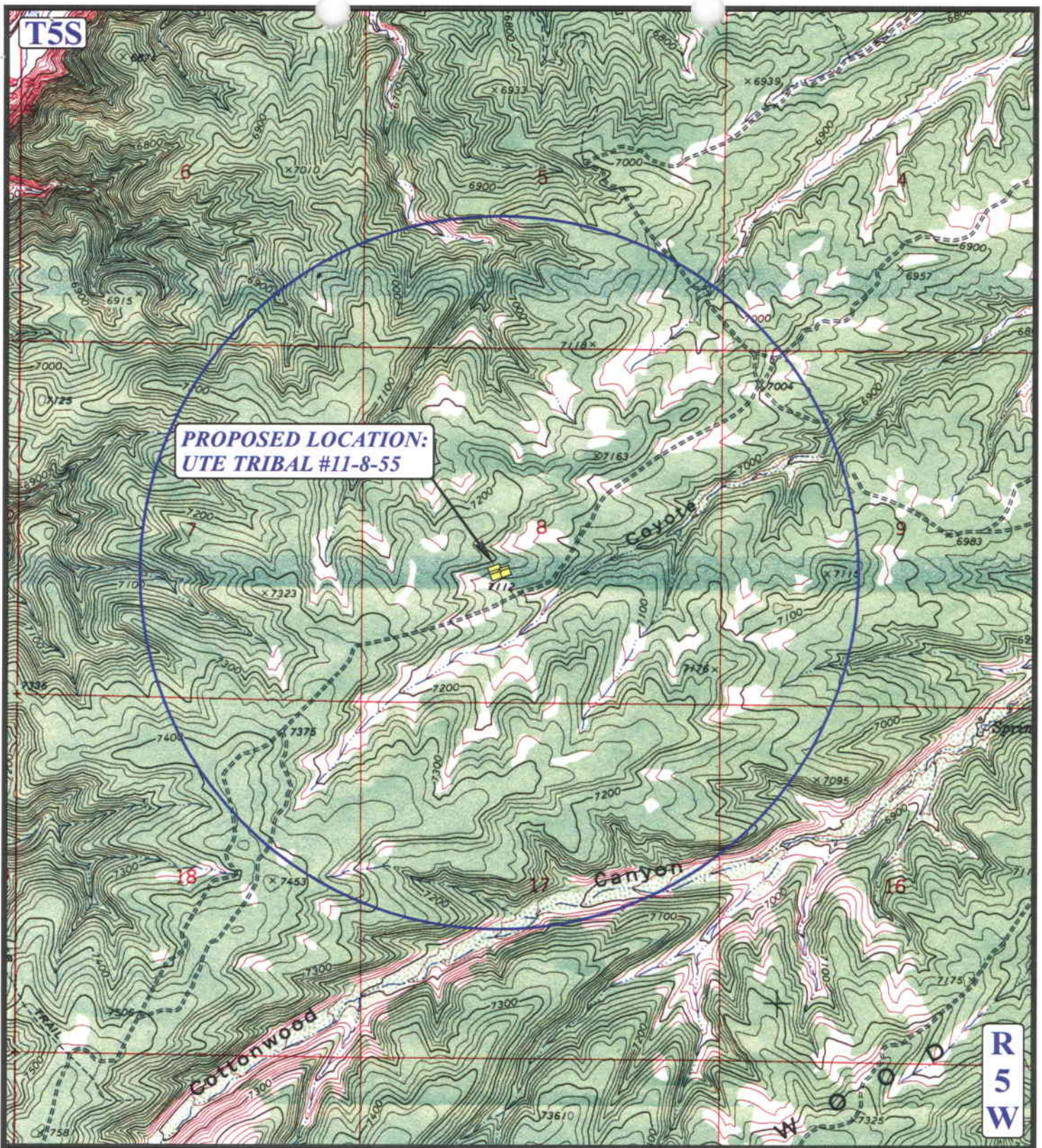
Uintah Engineering & Land Surveying
 85 South 200 East Vernal, Utah 84078
 (435) 789-1017 * FAX (435) 789-1813

**TOPOGRAPHIC
MAP**

8 19 04
 MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: K.G. REVISED: 00-00-00

**B
TOPO**



LEGEND:

- DISPOSAL WELLS
- PRODUCING WELLS
- SHUT IN WELLS
- WATER WELLS
- ABANDONED WELLS
- TEMPORARILY ABANDONED

BERRY PETROLEUM COMPANY

UTE TRIBAL #11-8-55
 SECTION 8, T5S, R5W, 6th P.M.
 1945' FSL 2031' FWL



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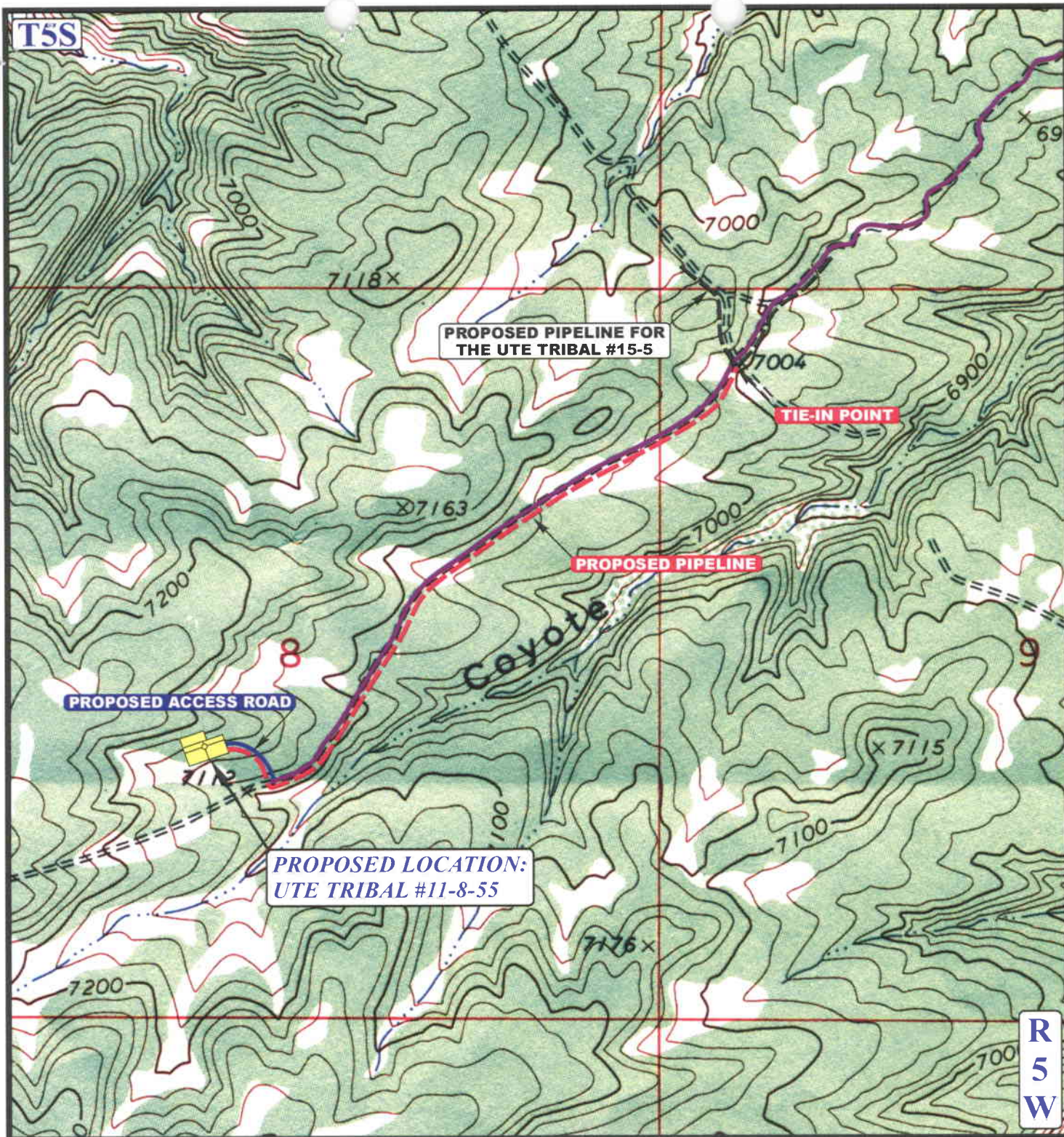


TOPOGRAPHIC
 MAP

8 19 04
 MONTH DAY YEAR

SCALE: 1" = 2000' DRAWN BY: K.G. REVISED: 00-00-00





APPROXIMATE TOTAL PIPELINE DISTANCE = 4,930' +/-

LEGEND:

- EXISTING PIPELINE
- - - PROPOSED PIPELINE
- PROPOSED ACCESS



BERRY PETROLEUM COMPANY

UTE TRIBAL #11-8-55
SECTION 8, T5S, R5W, 6th P.M.
1945' FSL 2031' FWL



Uintah Engineering & Land Surveying
 85 South 200 East Vernal, Utah 84078
 (435) 789-1017 * FAX (435) 789-1813

TOPOGRAPHIC
MAP

8 **19** **04**
 MONTH DAY YEAR

SCALE: 1" = 1000' DRAWN BY: K.G. REVISED: 00-00-00



WORKSHEET

004

APPLICATION FOR PERMIT TO DRILL

APD RECEIVED: 11/26/2004

API NO. ASSIGNED: 43-013-32720

WELL NAME: UTE TRIBAL 11-8-55

OPERATOR: BERRY PETROLEUM COMPANY (N2480)

CONTACT: DEBBIE WISENER

PHONE NUMBER: 435-722-1325

PROPOSED LOCATION:

NESW 08 050S 050W

SURFACE: 1945 FSL 2031 FWL

BOTTOM: 1945 FSL 2031 FWL

DUCHESNE

UNDESIGNATED (2)

INSPECT LOCATN BY: / /

Tech Review

Initials

Date

Engineering

Geology

Surface

LEASE TYPE: 2 - Indian

LEASE NUMBER: 14-20-H62-4778

SURFACE OWNER: 2 - Indian

PROPOSED FORMATION: GRRV

COALBED METHANE WELL? NO

LATITUDE: 40.05917

LONGITUDE: -110.4731

RECEIVED AND/OR REVIEWED:

☒ Plat☒ Bond: Fed[] Ind[2] Sta[] Fee[]

(No. RLB0005651)

☒ Potash (Y/N)☒ Oil Shale 190-5 (B) or 190-3 or 190-13☒ Water Permit

(No. 43-11041)

☒ RDCC Review (Y/N)

(Date:)

☒ Fee Surf Agreement (Y/N)

LOCATION AND SITING:

R649-2-3.

Unit

☒ R649-3-2. General

Siting: 460 From Qtr/Qtr & 920' Between Wells

R649-3-3. Exception

Drilling Unit

Board Cause No:

Eff Date:

Siting:

R649-3-11. Directional Drill

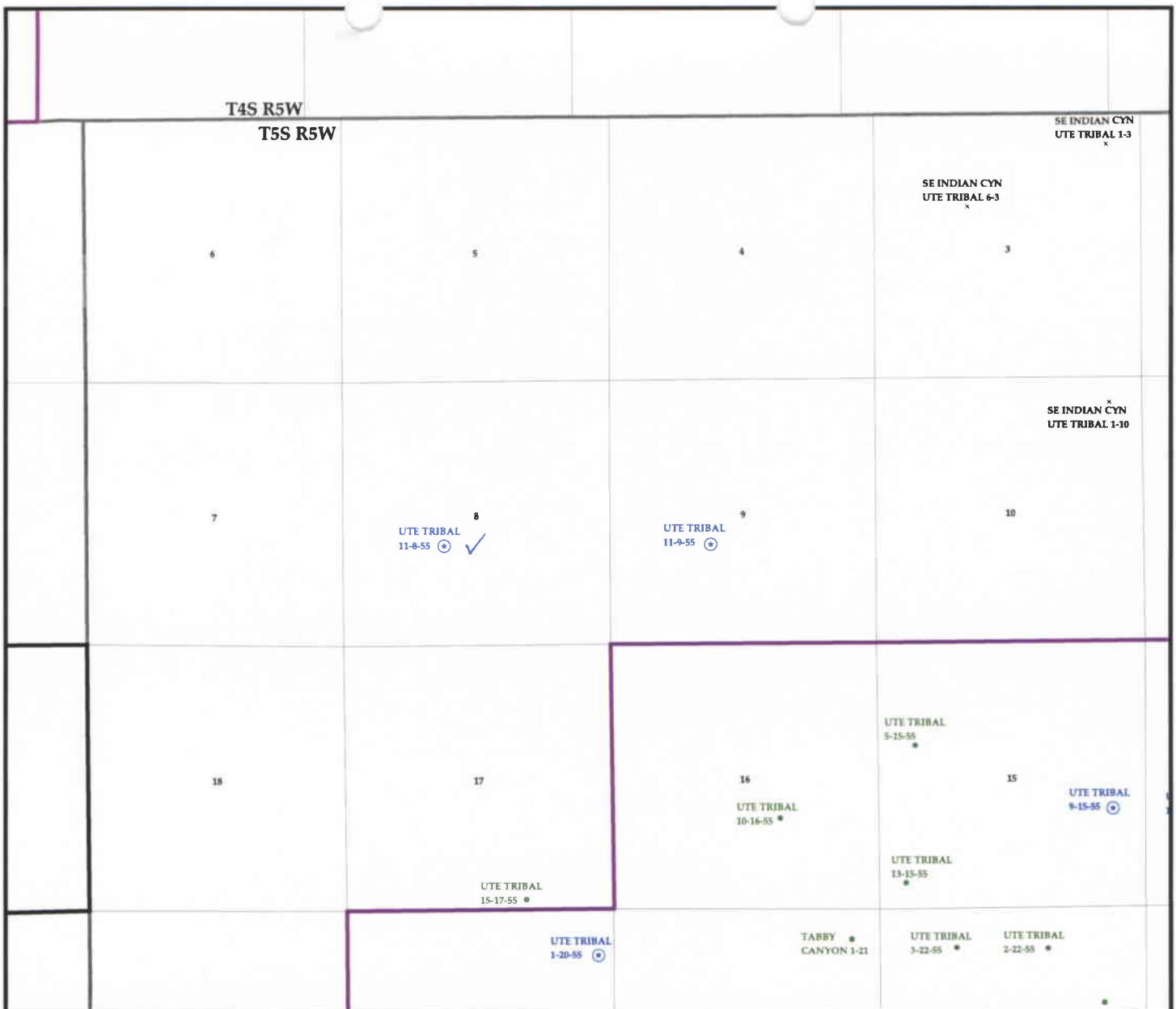
COMMENTS:

Sop, Separate file

STIPULATIONS:

1- Federal Approval

2- Spacing Sop



OPERATOR: BERRY PETRO CO (N2480)

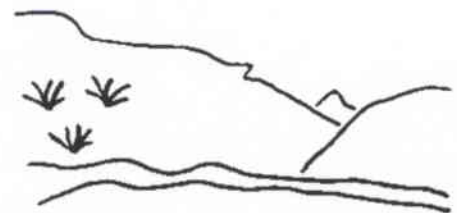
SEC. 8 T.5S R.5W

FIELD: UNDESIGNATED (002)

COUNTY: DUCHESNE

SPACING: R649-3-2 / GENERAL SITING

Wells	Units.shp	Fields.shp
✂ GAS INJECTION	EXPLORATORY	ABANDONED
✂ GAS STORAGE	GAS STORAGE	ACTIVE
✂ LOCATION ABANDONED	NF PP OIL	COMBINED
✂ NEW LOCATION	NF SECONDARY	INACTIVE
✂ PLUGGED & ABANDONED	PENDING	PROPOSED
✂ PRODUCING GAS	PI OIL	STORAGE
✂ PRODUCING OIL	PP GAS	TERMINATED
✂ SHUT-IN GAS	PP GEOTHERML	
✂ SHUT-IN OIL	PP OIL	
✂ TEMP. ABANDONED	SECONDARY	
✂ TEST WELL	TERMINATED	
✂ WATER INJECTION		
✂ WATER SUPPLY		
✂ WATER DISPOSAL		



Utah Oil Gas and Mining



PREPARED BY: DIANA WHITNEY
DATE: 1-DECEMBER-2004



State of Utah

Department of
Natural Resources

ROBERT L. MORGAN
Executive Director

Division of
Oil, Gas & Mining

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

December 2, 2004

Berry Petroleum Company
Rt. 3, Box 3020
Roosevelt, UT 84066

Re: Ute Tribal 11-8-55 Well, 1945' FSL, 2031' FWL, NE SW, Sec. 8, T. 5 South,
R. 5 West, Duchesne County, Utah

Gentlemen:

Pursuant to the provisions and requirements of Utah Code Ann. § 40-6-1 *et seq.*, Utah Administrative Code R649-3-1 *et seq.*, and the attached Conditions of Approval, approval to drill the referenced well is granted.

This approval shall expire one year from the above date unless substantial and continuous operation is underway, or a request for extension is made prior to the expiration date. The API identification number assigned to this well is 43-013-32720.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Baza".

John R. Baza
Associate Director

pab
Enclosures

cc: Duchesne County Assessor
Bureau of Land Management, Vernal District Office

Operator: Berry Petroleum Company
Well Name & Number Ute Tribal 11-8-55
API Number: 43-013-32720
Lease: 14-20-H62-4778

Location: NE SW **Sec.** 8 **T.** 5 South **R.** 5 West

Conditions of Approval

1. General

Compliance with the requirements of Utah Admin. R. 649-1 *et seq.*, the Oil and Gas Conservation General Rules, and the applicable terms and provisions of the approved Application for permit to drill.

2. Notification Requirements

Notify the Division within 24 hours of spudding the well.

- Contact Carol Daniels at (801) 538-5284.

Notify the Division prior to commencing operations to plug and abandon the well.

- Contact Dan Jarvis at (801) 538-5338

3. Reporting Requirements

All required reports, forms and submittals will be promptly filed with the Division, including but not limited to the Entity Action Form (Form 6), Report of Water Encountered During Drilling (Form 7), Weekly Progress Reports for drilling and completion operations, and Sundry Notices and Reports on Wells requesting approval of change of plans or other operational actions.

4. State approval of this well does not supersede the required federal approval, which must be obtained prior to drilling.

5. This proposed well is located in an area for which drilling units (well spacing patterns) have not been established through an order of the Board of Oil, Gas and Mining (the "Board"). In order to avoid the possibility of waste or injury to correlative rights, the operator is requested, once the well has been drilled, completed, and has produced, to analyze geological and engineering data generated therefrom, as well as any similar data from surrounding areas if available. As soon as is practicable after completion of its analysis, and if the analysis suggests an area larger than the quarter-quarter section upon which the well is located is being drained, the operator is requested to seek an appropriate order from the Board establishing drilling and spacing units in conformance with such analysis by filing a Request for Agency Action with the Board.

RECEIVED

NOV 23 2004

Form 3160-3
(April 2004)

BLM VERNAL UTAH

FORM APPROVED
OMB No. 1004-0137
Expires March 31, 2007

006

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

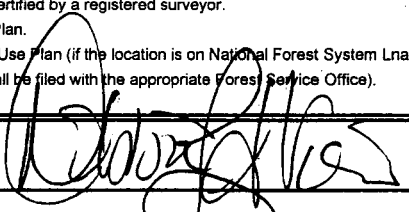

APPLICATION FOR PERMIT TO DRILL OR REENTER

1a. TYPE OF WORK <input checked="" type="checkbox"/> DRILL <input type="checkbox"/> REENTER			5. Lease Serial No. 14-20-H62-4778 (E&D)		
1b. Type of Well: <input type="checkbox"/> Oil well <input checked="" type="checkbox"/> Gas well <input type="checkbox"/> Other <input checked="" type="checkbox"/> Single zone <input type="checkbox"/> Multiple zone			6. If Indian, Allottee or Tribe Name UTE		
2. Name of Operator BERRY PETROLEUM COMPANY			7. Unit or CA Agreement, Name and No.		
3a. Address 1614 SOUTH 2000 WEST RT. 3 BOX 3020, ROOSEVELT, UT. 84066		3b. Phone No. (include area code) (435) 722-1325	8. Lease Name and Well No. UTE TRIBAL 11-8-55		
4. Location of Well (Report location clearly and in accordance with any State requirements.) At surface (NE/SW) 1945' FSL, 2031' FWL At proposed prod. zone SAME AS ABOVE		NAD 27 40.059086 LAT 110.472650 LONG	9. API Well No. 43.013.32720		
10. Field and Pool, or Exploratory WILDCAT			11. Sec., T. R. M. or BLK. and Survey or Area SEC. 8, T.5S., R.5W. U.S.B.&M.		
14. Distance in miles and direction from nearest town or post office* 34.5 MILES FROM MYTON, UTAH			12. County or Parish DUCHESSNE		13. State UTAH
15. Distance from proposed* location to nearest property of lease line, ft. (Also to nearest drig. Unit line, if any) 1945'		16. No. of acres in lease 640	17. Spacing Unit dedicated to this well 40		
18. Distance from proposed* to nearest well, drilling, completed, applied for, on this lease, ft. N/A		19. Proposed Depth 6235'	20. BLM/BIA Bond No. on file UTB000035 / RLB0005750		
21. Elevations (Show whether DF, KDB, RT, GR, etc.) 7154' GR		22. Approximate date work will start* REFER TO BPC SOP PLAN		23. Estimated duration REFER TO BPC SOP PLAN	

24. Attachments

The following, completed in accordance with the requirements of Onshore Oil and Gas Order No. 1, shall be attached to this form:

- Well plat certified by a registered surveyor.
- A Drilling Plan.
- A Surface Use Plan (if the location is on National Forest System Lands, the SUPO shall be filed with the appropriate Forest Service Office).
- Bond to cover the operations unless covered by an existing bond on file (see item 20 above).
- Operator certification.
- Such other site specific information and/or plans as may be required by the authorized officer.

25. Signature 		Name (Printed/Typed) DEBBIE L. WISENER	Date 11/18/04
Title PRODUCTION & REGULATORY TECHNICIAN			
Approved by Signature 		Name (Printed/Typed)	Date 04/01/2005
Title		Office	

Application approval does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Conditions of approval, if any, are attached.

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

*(Instructions on page 2)

RECEIVED

APR 05 2005

BLM - OIL, GAS & MINING

05.1M0247A

CONDITIONS OF APPROVAL
APPLICATION FOR PERMIT TO DRILL

Company/Operator: Williams Production RMT Co. _____

Well Name & Number: Ute Tribal 11-8-55 _____

API Number: 43-013-32720 _____

Lease Number: 1420-H62-4778 _____

Location: NESW Sec. 8 T.5S R.5W _____

Agreement: N/A _____

For more specific details on notification requirements, please check the Conditions of Approval for Notice to Drill and Surface Use Program.

CONDITIONS OF APPROVAL

Approval of this application does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Be aware fire restrictions may be in effect when location is being constructed and/or when well is being drilled. Contact the appropriate Surface Management Agency for information.

DRILLING PROGRAM

1. Estimated Depth at Which Oil, Gas, Water, or Other Mineral Bearing Zones are Expected to be Encountered

Report ALL water shows and water-bearing sands to John Mayers of this office **prior to setting the next casing string or requesting plugging orders**. Faxed copies of State of Utah form OGC-8-X are acceptable. If noticeable water flows are detected, submit samples to this office along with any water analyses conducted.

All usable water and prospectively valuable minerals (as described by BLM at onsite) encountered during drilling, will be recorded by depth and adequately protected. All oil and gas shows will be tested to determine commercial potential.

2. Pressure Control Equipment

The BOP and related equipment shall meet the minimum requirements of Onshore Oil and Gas Order No. 2 for equipment and testing requirements, procedures, etc., for a 2M system and individual components shall be operable as designed.

3. Casing Program and Auxiliary Equipment

As a minimum requirement, the cement behind the production casing must extend 200' above the top of the Green River Formation identified at $\pm 1578'$.

4. Coring, Logging and Testing Program

A cement bond log (CBL) will be run from the production casing shoe to the surface casing shoe and shall be utilized to determine the bond quality for the production casing

Please submit an electronic copy of all logs run on this well in LAS format. This submission will supersede the requirement for submittal of paper logs to the BLM. The cement bond log must be submitted in raster format (TIF, PDF or other).

5. Notifications of Operations

Daily drilling and completion progress reports shall be submitted to this office on a weekly basis.

6. Other Information

All loading lines will be placed inside the berm surrounding the tank battery.
All off-lease storage, off-lease measurement, or commingling onlease or off-lease will have prior written approval from the AO.

In the event after-hours approvals are necessary, you must contact one of the following individuals:

Kirk Fleetwood (435) 828-7874
Petroleum Engineer

Michael Lee (435) 828-7875
Petroleum Engineer

BLM FAX Machine (435) 781-4410

EPA'S LIST OF NONEXEMPT EXPLORATION AND PRODUCTION WASTES

While the following wastes are nonexempt, they are not necessarily hazardous.

Unused fracturing fluids or acids

Gas plant cooling tower cleaning wastes

Painting wastes

Oil and gas service company wastes, such as empty drums, drum rinsate, vacuum truck rinsate, sandblast media, painting wastes, spent solvents, spilled chemicals, and waste acids

Vacuum truck and drum rinsate from trucks and drums, transporting or containing nonexempt waste

Refinery wastes

Liquid and solid wastes generated by crude oil and tank bottom reclaimers

Used equipment lubrication oils

Waste compressor oil, filters, and blowdown

Used hydraulic fluids

Waste solvents

Waste in transportation pipeline-related pits

Caustic or acid cleaners

Boiler cleaning wastes

Boiler refractory bricks

Incinerator ash

Laboratory wastes

Sanitary wastes

Pesticide wastes

Radioactive tracer wastes

Drums, insulation and miscellaneous solids.

SURFACE USE PROGRAM
CONDITIONS OF APPROVAL (COAs)

Berry Petroleum Company (Berry) will assure the Ute Tribe that any/all contractors and subcontractors have acquired a current Tribal Business License and have updated "Access Permits" prior to construction. All Berry personnel, contractors and subcontractors will have these permits in their vehicles at all times. Companies that have not complied with this COA will be in violation of the Ute Tribal Business License Ordinance, and will be subject to fines and penalties.

Berry employees, representatives, and/or authorized personnel (subcontractors) shall not carry firearms on their person or in their vehicles while working on the Uintah and Ouray Indian Reservation.

Berry employees and/or authorized personnel (subcontractors) in the field will have approved applicable APDs and/or ROW permits/authorizations on their person(s) during all phases of construction.

Berry will notify the Ute Tribe and Bureau of Indian Affairs (BIA) in writing of any requested modification of APDs or Rights-Of Way (ROW). Berry shall receive written notification of authorization or denial of the requested modification. Without authorization, Berry will be subject to fines and penalties.

The Ute Tribe Energy & Minerals Department shall be notified in writing 48 hours in advance of any construction activity. The Ute Tribal office is open Monday through Thursday. A Tribal Technician is to routinely monitor construction. Berry shall make arrangements with the Ute Energy & Minerals Department for all monitoring that will exceed regular working hours for Tribal Technicians. A qualified Archaeologist accompanied by a Tribal Technician will monitor any trenching construction involved in the pipeline construction. Berry is to inform the contractors to maintain construction of the pipelines within the approved right of ways.

A corridor ROW, 30 feet wide and 1248 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 10-19-54 well. Pit corner A should be rounded off to limit impacts of pit construction on the existing drainage.

A corridor ROW, 30 feet wide and 577 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 12-19-54 well. When this pad is constructed, the contractors are to be careful and avoid unnecessary disturbance on the South Side of the pad in order to avoid impacts to potentially significant cultural resources.

A corridor ROW, 30 feet wide and 2371 feet long, shall be granted for the pipeline and for the new access road for the Ute Tribal 16-30-54 well.

A corridor ROW, 30 feet wide and 4904 feet long, shall be granted for the pipeline and for the 468 foot long new access road for the Ute Tribal 11-8-55 well. The corridor would follow existing and proposed roads for its entire length. This project shares access and corridor ROWs across UDWR lands with the proposed Ute Tribal 15-5-55 well. Access permission on UDWR lands will be needed

for the projects. Existing roads on UDWR lands with appropriate maintenance are adequate for the drilling project. A ROW agreement will be needed with UDWR for the shared pipeline.

A corridor ROW, 30 feet wide and 3587 feet long, shall be granted for the pipeline for the Ute Tribal 11-9-55 well. The corridor would follow existing and proposed roads for its entire length. The existing road shall be left open and not blocked off where it crosses the pad. Access permission on UDWR lands will be needed for the project. Existing roads on UDWR lands with appropriate maintenance are adequate for the drilling project. A ROW agreement will be needed with UDWR for the pipeline.

A corridor ROW, 30 feet wide and 1622 feet long, shall be granted for the pipeline and for the 1131 foot long new access road for the Ute Tribal 11-12-55 well. The corridor would follow existing and proposed roads for its entire length. A ROW agreement with UDWR will be needed for the pipeline and new access road corridor as shown on Map D.

The constructed travel width of these new access roads shall be limited to 18 feet. Upon authorization by the Ute Tribe Energy & Minerals Department, and where needed also the UDWR (Ute Tribal 11-12-55), the ROWs may be wider where sharp curves; deep cuts and fills occur; or, where intersections with other roads are required.

Culverts, low water crossings, and diversion ditches will be placed and constructed where needed.

Upon completion of the pertinent APD and ROWs construction, Berry will notify the Ute Tribe Energy & Minerals Department for a Tribal Technician to verify the Affidavit of Completion.

Production waters, oil, and other byproducts shall not be placed on access roads or the well pad.

All vehicular traffic, personnel movement, construction and restoration operations will be confined to the areas examined and approved and to the existing roadways and/or evaluated access routes.

Berry will implement "Safety and Emergency Plan" and ensure plan compliance.

Berry shall stop construction activities and notify personnel from the Ute Tribe Energy & Minerals Department and BIA if cultural remains including paleontology resources (vertebrate fossils) are exposed or identified during construction. The Ute Tribe Department of Cultural Rights and Protection and the BIA will provide mitigation measures prior to allowing construction.

Berry employees and/or authorized personnel (subcontractors) will not be allowed to collect artifacts and paleontology fossils. No significant cultural resources shall be disturbed.

Berry will control noxious weeds on the well sites and ROWs. Berry will be responsible for noxious weed control if weeds spread from the project area onto adjoining land.

Reserve pits will be lined with an impervious synthetic liner. A fence will be constructed around the reserve pit until it is backfilled. Prior to backfilling the reserve pit, all fluids will be pumped from the pit into trucks and hauled to approved disposal sites or shall be used to drill other wells. When

the reserve pits are backfilled, the pit liner remnants, the surplus oil and mud, etc., will be buried a minimum of 3.0 feet below the surface of the soil.

A closed system will be used during production. This means that production fluids will be contained in leak-proof tanks. All production fluids will be disposed of at approved disposal sites.

Surface pipelines will be constructed to lay on the soil surface. The pipeline ROW will not be bladed or cleared of vegetation without authorization of the BIA. Surface pipelines shall be welded in place at well sites or on access roads and on other existing roads then pulled into place with suitable equipment. The pipeline portion of the ROW will not be bladed or cleared of vegetation without authorization of the BIA.

Buried pipelines shall be buried a minimum of 3 feet below the soil surface. After construction is completed the disturbed area shall be contoured to blend into the natural landscape and be reseeded between September 15 and November 1 of the year following construction with perennial vegetation seed mixture provided by the BIA or Ute Tribe.

Before each site is abandoned, Berry will be required to restore the well site and related ROWs to near their original state. The disturbed areas will be reseeded with desirable perennial vegetation.

Soil erosion will be mitigated, by reseeding all areas of disturbance.

DIVISION OF OIL, GAS AND MINING

SPUDDING INFORMATION

Name of Company: BERRY PETROLEUM COMPANY

Well Name: UTE TRIBAL 11-8-55

Api No: 43-013-32720 Lease Type: INDIAN

Section 08 Township 05S Range 05W County DUCHESNE

Drilling Contractor FRONTIER RIG # 1

SPUDDED:

Date 10/04/05

Time

How DRY

Drilling will Commence:

Reported by R L TATMAN

Telephone # 1-435-828-5300

Date 10/06/05 Signed CHD

FORM 6

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

ENTITY ACTION FORM

Operator: Berry PetroleumAddress: 410 17th St Suite 1320city Denverstate COzip 80202Operator Account Number: N 2480Phone Number: (303) 825-3344

Well 1 43-013-32869

API Number	Well Name	QQ	Sec	Twp	Rng	County
<u>034-32869</u>	<u>Ute Tribal 8-31-54</u>	<u>SENE</u>	<u>31</u>	<u>5</u>	<u>4</u>	<u>Duchesne</u>
Action Code	Current Entity Number	New Entity Number	Spud Date	Entity Assignment Effective Date		
<u>A</u>	<u>99999</u>	<u>14970</u>	<u>10/3/2005</u>	<u>10/13/05</u>		
Comments: <u>GRUV</u>						

Well 2

API Number	Well Name	QQ	Sec	Twp	Rng	County
<u>013-32720</u>	<u>Ute Tribal 11-8-55</u>	<u>NESW</u>	<u>8</u>	<u>5</u>	<u>5</u>	<u>Duchesne</u>
Action Code	Current Entity Number	New Entity Number	Spud Date	Entity Assignment Effective Date		
<u>A</u>	<u>99999</u>	<u>14971</u>	<u>10/4/2005</u>	<u>10/13/05</u>		
Comments: <u>GRUV</u>						

Well 3

API Number	Well Name	QQ	Sec	Twp	Rng	County
<u>013-32878</u>	<u>Ute Tribal 4-21-54</u>	<u>NWNW</u>	<u>21</u>	<u>5</u>	<u>4</u>	<u>Duchesne</u>
Action Code	Current Entity Number	New Entity Number	Spud Date	Entity Assignment Effective Date		
	<u>13907</u>		<u>8/21/2003</u>			
Comments: <u>GRUV Completed</u>						

ACTION CODES:

- A - Establish new entity for new well (single well only)
- B - Add new well to existing entity (group or unit well)
- C - Re-assign well from one existing entity to another existing entity
- D - Re-assign well from one existing entity to a new entity
- E - Other (Explain in 'comments' section)

Rich Haeefe

Name (Please Print)

Signature

Engineering Technician

9/29/2003

Title

Date

(5/2000)

RECEIVED**OCT 07 2005****DIV. OF OIL, GAS & MINING**

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB No. 1004-0137
Expires: March 31, 2007

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.

SUBMIT IN TRIPLICATE- Other instructions on reverse side.

1. Type of Well <input checked="" type="checkbox"/> Oil Well <input type="checkbox"/> Gas Well <input type="checkbox"/> Other		5. Lease Serial No. 14-20-H62-4778
2. Name of Operator Berry Petroleum Company		6. If Indian, Allottee or Tribe Name Ute (Minerals)
3a. Address 410 17th Street Suite 2440 Denver, CO 80202	3b. Phone No. (include area code) 303 825-3344	7. If Unit or CA/Agreement, Name and/or No.
4. Location of Well (Footage, Sec., T., R., M., or Survey Description) 1945' FSL x 2031' FWL (NESW), Section 8, Township 5 South, Range 5 West		8. Well Name and No. Ute Tribal 11-8-55
		9. API Well No. 43-013-32720
		10. Field and Pool, or Exploratory Area Brundage Canyon
		11. County or Parish, State Duchesne County, Utah

12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION			
<input type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input checked="" type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Fracture Treat	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other Spud Notice
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

13. Describe Proposed or Completed Operation (clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recomple horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports shall be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recomple in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final Abandonment Notices shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

Please be advised that the Ute Tribal 11-8-55 was spud on October 4, 2005.

14. I hereby certify that the foregoing is true and correct Name (Printed/Typed) Lauren Cartaya		Title Technician
Signature Lauren Cartaya <small>Digitally signed by Lauren Cartaya DN: cn = Lauren Cartaya, c = US, o = Berry Petroleum Date: 2005.02.18 15:50:03 -0700</small>		Date 10/07/2005

THIS SPACE FOR FEDERAL OR STATE OFFICE USE

Approved by _____ Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.	Title _____	Date _____
	Office _____	

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

RECEIVED
OCT 1 / 2005
DIV. OF OIL, GAS & MINING

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RECEIVED

FEB 07 2006

FORM APPROVED
OMB No. 1004-0137
Expires: March 31, 2007

SUNDRY NOTICES AND REPORTS ON WELLS

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SUBMIT IN TRIPLICATE- Other instructions on reverse side.1. Type of Well
☒ Oil Well ☐ Gas Well ☐ Other2. Name of Operator **Berry Petroleum Company**3a. Address
410 17th Street Suite 2440 Denver, CO 802023b. Phone No. (include area code)
303 825-33444. Location of Well (Footage, Sec., T., R., M., or Survey Description)
1945' FSL x 2031' FWL (NESW), Section 8, Township 5 South, Range 5 West

5. Lease Serial No.

14-20-H62-4778

6. If Indian, Allottee or Tribe Name

Ute

7. If Unit or CA/Agreement, Name and/or No.

8. Well Name and No.

Ute Tribal 11-8-55

9. API Well No.

43-013-32720

10. Field and Pool, or Exploratory Area

Brundage Canyon

11. County or Parish, State

Duchesne County, Utah

12. CHECK APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION	TYPE OF ACTION			
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13. Describe Proposed or Completed Operation (clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports shall be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 shall be filed once testing has been completed. Final Abandonment Notices shall be filed only after all requirements, including reclamation, have been completed, and the operator has determined that the site is ready for final inspection.)

Please be advised that the Ute Tribal 11-8-55 was drilled and abandoned. The well reached TD on 10/19/2005. Four (4) cement plugs were placed as follows: **10/23/05**

Plug #1: 110 sxs class "G" 15.8 ppg spotted from 6,212' to 5,912' (300')

Plug #2: 110 sxs class "G" 15.8 ppg spotted from 4,070' to 3,770' (300'). Plug was tagged @ 3,940'. Pump additional 75 sxs class "G" 15.8 ppg spotted up to 3,750'. TIH and tag plug @ 3,667'.

Plug #3: 110 sxs class "G" 15.8 ppg spotted from 1,730' to 1,430' (300')

Plug #4: 145 sxs class "G" 15.8 ppg spotted from 371' to surface. Cement fell back. TIH and did not tag any cement @ 371'. Spot LCM pill to surface. 75 sxs light cement pumped from 371' to surface. Top off with an additional 5 Bbls.

Drilling and plug and abandonment reports are included.

14. I hereby certify that the foregoing is true and correct
Name (Printed/Typed)

Eric M ShiveyTitle **Engineer**

Signature

Date

02/03/2006**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved by

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Title

Date

FEB 13 2006

Office

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RECEIVED

(Instructions on page 2)

FEB 23 2007

DIV. OF OIL, GAS & MINING

410 17th Street, Suite 1320
DENVER, COLORADO 80202
PHONE 303-825-3344 FAX 303-825-3350

[illegible]

410 17th Street, Suite 1320
DENVER, COLORADO 80202
PHONE 303-825-3344 FAX 303-825-3350

[illegible]

Berry Petroleum Company

410 17th Street, Suite 1320
DENVER, COLORADO 80202
PHONE 303-825-3344 FAX 303-825-3350

DAILY DRILLING REPORT

LEASE NAME & WELL NO. UTE TRIBAL 11-8-55				FIELD Brundage Canyon		DATE October 17, 2005	
RIG NAME AND NUMBER Frontier Drilling Rig #1				COUNTY Duchesne	STATE Utah	DAY NO. 2	
TOTAL DEPTH 3045	Rot. Hrs 21	cum Rot. Hrs 27	FOOTAGE DRILLED 1877	LAST CASING SIZE, WEIGHT, GRADE 8 5/8" #24 J-55		SET @ 328 GL	Report No. 3
ACTIVITY AT REPORT TIME Drilling ahead						REPORTED BY R.L.Tatman	
REMARKS						KB TO GL 16	

TIME LOG			Activity Detail
FROM	TO	HOURS	
6:00	8:30	2.50	Drilling 7 7/8" hole with motor f/1168' to 1442, 109' fph.
8:30	9:00	0.50	Wireline Survey @ 1372' 1°
9:00	14:00	5.00	Drilling 7 7/8" hole with motor f/1442' to 1941', 99.8' fph.
14:00	14:30	0.50	Wireline Survey @ 1871' 1°
14:30	15:00	0.50	Lubricate Rig.
15:00	21:30	6.50	Drilling 7 7/8" hole with motor f/1941' to 2499', 85.8' fph.
21:30	22:00	0.50	Wireline Survey @ 2429' 3°
22:00	2:30	4.50	Drilling 7 7/8" hole with motor f/2499' to 2842', 76' fph.
2:30	3:00	0.50	Wireline Survey @ 2772', Miss run.
3:00	4:00	1.00	Drilling 7 7/8" hole with motor f/2842' to 2904', 62' fph.
4:00	4:30	0.50	Wireline Survey @ 2834' 2°
4:30	6:00	1.50	Drilling 7 7/8" hole with motor f/2905' to 3045', 93' fph.

		STRING WT	
	UP	88,000	
	DOWN	80,000	
	ROTATE	84,000	
	24.00		

MUD RECORD			MUD MATERIALS USED		BIT RECORD		
DEPTH	1994		NO. OF SACKS/LBS	PRODUCT NAME	BIT NO.	1	
TIME	15:30		1	Float Rental	SIZE	7 7/8	
WEIGHT	8.4		3	EZ Mud	MFG	Smith	
VIS	27		3	Baracat	TYPE	ER7087	
WL	20+		7	Baracor 700	JET	3/18	
PV/YP	1/1		11	caustic soda	SERIAL NO.	pc2678	
H2S	0%			Baro-Seal Med	DEPTH OUT		
CA	100			Diamond seal	DEPTH IN	330'	
GELS				KCL sx.	TOTAL FEET	2715'	
ALK	1.2 / 2.5				HRS	27	
pH	10.2		11	Zeo-gel	ROP(fph)	100.5	
CAKE				Sawdust	WT. ON BIT	26-30	
CL	9,000			DAILY COST	\$1,853.76	RPM	110-65
KCL %	0.700%			PREVIOUS COST	\$0.00	Cond.	
K Ion	7,000			CUMULATIVE COST	\$1,853.76	AN VEL	200.0

DRILLING ASSEMBLY			PUMP DATA			DEVIATION RECORD	
NO.	DESCRIPTION	LENGTH - FT	PUMP NO.	1	2	DEPTH	INCLINATION
1	7 7/8 Bit	1.00	MAKE	IDECO	NAT.	423'	1/2'
1	M Mtr.33rev/gpm	30.79	MODEL	T-500	K-55	850'	1'
1	6 1/2" DC	31.07	STROKE	8"	15"	1372'	1'
1	Non-Rot-Stab.	6.85	LINER SIZE	6"	6"	1871'	1'
19	6 1/2 DC's	587.74	SPM	110		2460'	3'
1	xo-sub	4.00	GPM	290		2772'	Miss Run
			SURF PRESSURE	1050		2834'	2'
			ECD	8.6		DAILY WELL COST	\$30,250
			SLOW PUMP- SPM	50		PREVIOUS CUM COST	\$97,165
			SLOW PUMP- PRES	230		CUMULATIVE WELL COST	\$127,415

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BHA

661.45

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DENVER, COLORADO 80202
PHONE 303-825-3344 FAX 303-825-3350

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PHONE 303-825-3344 FAX 303-825-3350

LEASE NAME & WELL NO. UTE TRIBAL 11-8-55				FIELD Brundage Canyon		DATE October 19, 2005	
RIG NAME AND NUMBER Frontier Drilling Rig #1				COUNTRY STATE Duchesne Utah		DAY NO. 4	
TOTAL DEPTH 5665		Rot. Hrs 16.5	cum Rot. Hrs 66	FOOTAGE DRILLED 1075'		LAST CASING SIZE, WEIGHT, GRADE 8 5/8" #24 J-55	SET # 328 GL
Report No. 5							
ACTIVITY AT REPORT TIME Drilling ahead						REPORTED BY R.L.Tatman	
REMARKS						KB TO GL. 16	

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LEASE NAME & WELL NO. UTE TRIBAL 11-8-55					FIELD Brundage Canyon		DATE October 20, 2005	
RIG NAME AND NUMBER Frontier Drilling Rig #1					COUNTY		STATE	
					Duchesne Utah		DAY NO. 5	
TOTAL DEPTH 6225		Rot. Hrs 8.5	cum Rot. Hrs 74.5	FOOTAGE DRILLED 560	LAST CASING SIZE, WEIGHT, GRADE 8 5/8" #24 J-55		SET @ 328 GL	Report No. 6
ACTIVITY AT REPORT TIME Picking up drill pipe to plug and abandon.						REPORTED BY R.L.Tatman		
REMARKS							KB TO GL. 16	

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MUD RECORD			MUD MATERIALS USED		BIT RECORD		
DEPTH	5916		NO. OF SACKS/LBS	PRODUCT NAME	BIT NO.		2
TIME	10:00		1	Float Rental	SIZE		7 7/8
WEIGHT	8.5		2	EZ Mud	MFG		Security
VIS	27		2	Baracat	TYPE		XS 21SR
WL	20+			Baracor 700	JET		3/18
PV/YP	1/1		4	caustic soda	SERIAL NO.		10747531
H2S	0%		38	Baro-Seal Med	DEPTH OUT		6225'
CA	80		1	Diamond seal	DEPTH IN		4914'
GELS			49	KCL sx.	TOTAL FEET		1311'
ALK	1/2.7			KCL brine	HRS		19.00
pH	10.4			Zeo-gel	ROP(fph)		69
CAKE			35	Sawdust	WT. ON BIT		30-42
CL	30,000		DAILY COST	\$2,991.55	RPM		110-65
KCL %	2.800%		PREVIOUS COST	\$10,825.57	Cond.		1/3/wt/a/e/1/nd/td
K Ion	28,000		CUMULATIVE COST	\$13,817.12	AN VEL		200

DRILLING ASSEMBLY			PUMP DATA			DEVIATION RECORD	
NO.	DESCRIPTION	LENGTH - FT	PUMP NO.	1	2	DEPTH	INCLINATION
			MAKE	IDECO	Nat.	6156'	2'
			MODEL	T-500	K-55		
			STROKE	8"	15"		
			LINER SIZE	6"	6"		
			SPM				
			GPM				
			SURF PRESSURE				
			ECD			DAILY WELL COST	\$39,347
			SLOW PUMP- SPM			PREVIOUS CUM COST	\$171,586
U:\PROD\DDRLG.XLS	BHA	0.00	SLOW PUMP- PRES			CUMULATIVE WELL COST	\$210,933

Berry Petroleum Company

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DAILY DRILLING REPORT

LEASE NAME & WELL NO. UTE TRIBAL 11-8-55				FIELD Brundage Canyon		DATE October 21, 2005	
RIG NAME AND NUMBER Frontier Drilling Rig #1				COUNTY Duchesne	STATE Utah	DAY NO. 6	
TOTAL DEPTH 6225	Rot. Hrs 74.5	cum Rot. Hrs 74.5	FOOTAGE DRILLED 8 5/8" #24 J-55	LAST CASING SIZE, WEIGHT, GRADE 328 GL		Report No. 7	
ACTIVITY AT REPORT TIME Wait on cement to tag second plug / plug and abandon.						REPORTED BY R.L.Tatman	
REMARKS						KB TO GL. 16	

TIME LOG			Activity Detail		
FROM	TO	HOURS			
6:00	12:30	6.50	Pick up Drill pipe and trip in hole open ended.		
12:30	13:00	0.50	Kelly up and fill pipe.		
13:00	15:30	2.50	Circulate and condition hole / Pump sweeps and circulate out.		
15:30	16:00	0.50	R/U Halliburton Cementers / held prejob safty meeting.		
16:00	16:30	0.50	Pump first plug @ 6212' up 300' to 5912' / 110 sx. Type G at 15.8 lbs/gal.		
16:30	17:00	0.50	Pull out of hole 8 stands and break circulation @ 5468'		
17:00	18:30	1.50	Circulate bottoms up / pump LCM sweep / Circulate sweep out.		
18:30	19:30	1.00	Pull out of hole Laydown 45 joints to 4070'		
19:30	20:30	1.00	Pump second plug @ 4070' up 300' to 3770' / 110 sx type G at 15.8 lbs./gal.		
20:30	21:00	0.50	Pull out of hole 8 stands and break circulation @ 3325'		
21:00	22:00	1.00	Circulate bottoms up / Wait on cement		
22:00	23:00	1.00	Lay down 24 joints of Drill pipe / Trip in 8 stands out of derrick. While waiting on cement.		
23:00	0:30	1.50	Circulate and wait on cement @ 3323'		
0:30	1:00	0.50	Trip in Tag plug at 3940' / pull up to 3882'		
1:00	2:00	1.00	Circulate and wait on Orders from BLM		
2:00	2:30	0.50	Pump 75 sx. Type G @ 15.8 lbs/gal. to top off plug up to 3750'		
2:30	3:00	0.50	pull out of hole 6 stands to 3323'		
3:00	6:00	3.00	Wait on cement and circulate at 60 stk/min.		
					STRING WT
			<i>All cement vol. are calculated off bore hole vol. / caliper log.</i>	UP	
				DOWN	
		24.00		ROTATE	

MUD RECORD			MUD MATERIALS USED		BIT RECORD		
DEPTH	6226		NO. OF SACKS/LBS	PRODUCT NAME	BIT NO.		
TIME	10:00		1	Float Rental	SIZE		
WEIGHT	8.5		2	EZ Mud	MFG		
VIS	27			Baracat	TYPE		
WL	20+			Baracor 700	JET		
PV/YP	1/1			caustic soda	SERIAL NO.		
H2S	0%		9	Baro-Seal Med	DEPTH OUT		
CA	80			Diamond seal	DEPTH IN		
GELS			49	KCL sx.	TOTAL FEET		
ALK	1/2.7			KCL brine	HRS		
pH	10.4		67	Zeo-gel	ROP(fph)		
CAKE			25	Sawdust	WT. ON BIT		
CL	30,000		DAILY COST	\$1,787.88	RPM		
KCL %	2.800%		PREVIOUS COST	\$13,817.12	Cond.		
K Ton	28,000		CUMULATIVE COST	\$15,605.00	AN VEL		

DRILLING ASSEMBLY			PUMP DATA			DEVIATION RECORD	
NO.	DESCRIPTION	LENGTH - FT	PUMP NO.	1	2	DEPTH	INCLINATION
			MAKE	IDECO	Nat.		
			MODEL	T-500	K-55		
			STROKE	8"	15"		
			LINER SIZE	6"	6"		
			SPM				
			GPM				
			SURF PRESSURE				
			ECD			DAILY WELL COST	\$19,357
			SLOW PUMP- SPM			PREVIOUS CUM COST	\$210,933
			SLOW PUMP- PRES			CUMULATIVE WELL COST	\$230,289

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LEASE NAME & WELL NO. UTE TRIBAL 11-8-55				FIELD Brundage Canyon		DATE October 22, 2005	
RIG NAME AND NUMBER Frontier Drilling Rig #1				COUNTY		STATE	
				Duchesne Utah		7	
TOTAL DEPTH 6225		Rot. Hrs 74.5	cum Rot. Hrs	FOOTAGE DRILLED		LAST CASING SIZE, WEIGHT, GRADE 8 5/8" #24 J-55	SET @ 328 GL
Report No. 8							
ACTIVITY AT REPORT TIME Wait on Bulk cement delivery to set top plug. / plug and abandon.						REPORTED BY R.L.Tatman	
REMARKS						KB TO GL. 16	

TIME LOG			Activity Detail
FROM	TO	HOURS	
6:00	7:30	1.50	Wait on cement and circulate at 60 stk/min.
7:30	8:00	0.50	Trip in Tag plug at 3667' / pull up to 3604'
8:00	8:30	0.50	Circulate and condition hole / Pump sweeps and circulate out.
8:30	10:00	1.50	Lay down 76 joints of Drill pipe / Trip in 5 stands out of derrick.
10:00	10:30	0.50	Pump plug #3 @ 1730' up 300' to 1430'./ 110 sx. Type G at 15.8 lbs/gal.
10:30	11:00	0.50	Pull out of hole Laydown 24 joints.
11:00	12:30	1.50	Circulate bottoms up three times to clean up drill string.
12:30	13:00	0.50	Pull out of hole Laydown 20 joints.
13:00	13:30	0.50	Pump plug #4 @ 371' up to surface / 145 sx type G at 15.8 lbs./gal. <i>/No returns after pumping 10 bbls,</i>
13:30	19:00	5.50	Pull out of hole 4 stands / Wait on Bulk cement delivery.
19:00	19:30	0.50	Trip in to 371',Did not Tag any cement or plug
19:30	21:30	2.00	Pump 350 sx. Halliburton light premium with lost circulation additives @ 13 lbs/gal. <i>No returns.</i>
21:30	3:00	5.50	Pull out of hole 4 stands / Wait on Bulk cement delivery.
3:00	3:30	0.50	Trip in to 371',Did not Tag any cement or plug
3:30	4:00	0.50	<i>Fill pipe and break circulation, with full returns</i>
4:00	5:00	1.00	Mix and spot a High vis. LCM pill from 380 to surface.
5:00	5:30	0.50	pull out of hole.
5:30	6:00	0.50	Wait on bulk cement Delivery.
		24.00	<i>All cement vol. are calculated off bore hole vol. / caliper log.</i>

MUD RECORD			MUD MATERIALS USED		BIT RECORD		
DEPTH	6225		NO. OF SACKS/LBS	PRODUCT NAME	BIT NO.		
TIME	10:00		1	Float Rental	SIZE		
WEIGHT	8.5		2	EZ Mud	MFG		
VIS	27			Baracat	TYPE		
WL	20+			Baracor 700	JET		
PV/YP	1/1			caustic soda	SERIAL NO.		
H2S	0%		9	Baro-Seal Med	DEPTH OUT		
CA	80			Diamond seal	DEPTH IN		
GELS			49	KCL sx.	TOTAL FEET		
ALK	1/2.7			KCL brine	HRS		
pH	10.4		67	Zeo-gel	ROP(fph)		
CAKE			25	Sawdust	WT. ON BIT		
CL	30,000		DAILY COST	\$0.00	RPM		
KCL %	2.800%		PREVIOUS COST	\$15,605.00	Cond.		
K Ion	28,000		CUMULATIVE COST	\$15,605.00	AN VEL		

DRILLING ASSEMBLY			PUMP DATA			DEVIATION RECORD	
NO.	DESCRIPTION	LENGTH - FT	PUMP NO.	1	2	DEPTH	INCLINATION
			MAKE	IDECO	Nat.		
			MODEL	T-500	K-55		
			STROKE	8"	15"		
			LINER SIZE	6"	6"		
			SPM				
			GPM				
			SURF PRESSURE				
			ECD			DAILY WELL COST	\$30,538
			SLOW PUMP- SPM			PREVIOUS CUM COST	\$230,289
U:\PROD\DDRLG.XLS	BHA	0.00	SLOW PUMP- PRES			CUMULATIVE WELL COST	\$260,827

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LEASE NAME & WELL NO. UTE TRIBAL 11-8-55				FIELD Brundage Canyon		DATE October 23, 2005	
RIG NAME AND NUMBER Frontier Drilling Rig #1				COUNTY Duchesne		STATE Utah	
TOTAL DEPTH 6225				Rot. Hrs 74.5		cum Rot. Hrs 74.5	
FOOTAGE DRILLED 8 5/8" #24 J-55				LAST CASING SIZE, WEIGHT, GRADE 328 GL		SET @ 9	
ACTIVITY AT REPORT TIME Rig down to move to MT 4-23-54				REPORTED BY R.L.Tatman			
REMARKS BLM Whitniss: Cade taylor and Cliff Johnson.						KB TO GL. 16	

[illegible]

MUD RECORD		MUD MATERIALS USED		BIT RECORD		
DEPTH	6225	NO. OF SACKS/LBS	PRODUCT NAME	BIT NO.		
TIME	10:00	1	Float Rental	SIZE		
WEIGHT	8.5	2	EZ Mud	MFG		
VIS	27		Baracat	TYPE		
WL	20+		Baracor 700	JET		
PV/YP	1/1		caustic soda	SERIAL NO.		
H2S	0%	9	Baro-Seal Med	DEPTH OUT		
CA	80		Diamond seal	DEPTH IN		
GELS		49	KCL sx.	TOTAL FEET		
ALK	1/2.7		KCL brine	HRS		
pH	10.4	67	Zeo-gel	ROP(fph)		
CAKE		25	Sawdust	WT. ON BIT		
CL	30,000	DAILY COST	\$1,833.25	RPM		
KCL %	2.800%	PREVIOUS COST	\$15,605.00	Cond.		
K Ion	28,000	CUMULATIVE COST	\$17,438.25	AN VEL		

DRILLING ASSEMBLY			PUMP DATA			DEVIATION RECORD	
NO.	DESCRIPTION	LENGTH - FT	PUMP NO.	1	2	DEPTH	INCLINATION
			MAKE	IDECO	Nat.		
			MODEL	T-500	K-55		
			STROKE	8"	15"		
			LINER SIZE	6"	6"		
			SPM				
			GPM				
			SURF PRESSURE				
			ECD			DAILY WELL COST	\$129,817
			SLOW PUMP- SPM			PREVIOUS CUM COST	\$260,827
			SLOW PUMP- PRES			CUMULATIVE WELL COST	\$390,644

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5. Lease Serial No.
14-20-H62-4778

APR 18 2007

DIV. OF OIL, GAS & MINING

28b. Production - Interval C									
Date First Produced	Test Date	Hours Tested	Test Production →	Oil BBL	Gas MCF	Water BBL	Oil Gravity Corr. API	Gas Gravity	Production Method
Choke Size	Tbg. Press. Flwg. SI	Csg. Press.	24 Hr. Rate →	Oil BBL	Gas MCF	Water BBL	Gas/Oil Ratio	Well Status	

28c. Production - Interval D									
Date First Produced	Test Date	Hours Tested	Test Production →	Oil BBL	Gas MCF	Water BBL	Oil Gravity Corr. API	Gas Gravity	Production Method
Choke Size	Tbg. Press. Flwg. SI	Csg. Press.	24 Hr. Rate →	Oil BBL	Gas MCF	Water BBL	Gas/Oil Ratio	Well Status	

29. Disposition of Gas (*Sold, used for fuel, vented, etc.*)

30. Summary of Porous Zones (Include Aquifers): Show all important zones of porosity and contents thereof: Cored intervals and all drill-stem tests, including depth interval tested, cushion used, time tool open, flowing and shut-in pressures and recoveries.				31. Formation (Log) Markers	
Formation	Top	Bottom	Descriptions, Contents, etc.	Name	Top Meas. Depth
				Green River (Fouch) Base Mahogany TGR3 Mrkr Douglas Creek Upper Black Shale Castle Peak Limestone Uteland Butte	2130 2852 3799 4572 5234 5498 5883

32. Additional remarks (include plugging procedure):

Well was drilled an abandoned. See the Form 3160-5 dated 2/3/2006 for the plug and abandonment procedure.

33. Indicate which itmes have been attached by placing a check in the appropriate boxes:

☐ Electrical/Mechanical Logs (1 full set req'd.)
 ☐ Geologic Report
 ☐ DST Report
 ☐ Directional Survey
☐ Sundry Notice for plugging and cement verification
 ☐ Core Analysis
 ☐ Other:

34. I hereby certify that the foregoing and attached information is complete and correct as determined from all available records (see attached instructions)*

Name (*please print*) Eric M. Shivey Title Engineer

Signature _____ Date 03/15/2006

Title 18 U.S.C Section 1001 and Title 43 U.S.C Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.